



# University of Hawaii at Manoa

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Office of the Director

December 1, 1975

## MEMORANDUM

TO: Environmental Quality Commission

FROM: Doak C. Cox *Doak C. Cox*

RE: Review of Proposed Exemption List  
 submitted by the DLNR, Division of Forestry,  
 EQC Bulletin, November 8, 1975

This Environmental Center review of the exemption list submitted by DLNR, Division of Forestry, has been prepared with the assistance of Charles Lamoureux, Botany and Jacquelin Miller, Environmental Center.

### 1. Operations Repairs or Maintenance of Existing Facilities

Items a, b, f, and j all include the use of Herbicides. There is no information given as to the location, type of chemicals to be used, or quantity and frequency of application. A recent rather thorough examination of a negative declaration for herbicide use at Kekaha (copy of review attached) has resulted in an extensive list of potential and most probable severe environmental impacts associated with the project. It is our judgment that no use of herbicides should be granted a blanket EIS exemption. If there was no potential environmental impact there would be no point in using the product. By its very nature, usage creates an impact on the ecosystem.

As we have stated in connection with similar previous herbicide usage proposals, we are not suggesting that single, individual EIS's be required for each usage, but that an overall program for herbicide usage should be open to public comment and review through the EIS system.

Items h and i should be more fully documented. What are the existing regulations regarding commercial seed harvesting and the gathering of forest products? A potential danger would seem to exist for rare or endangered species if commercial seed harvesting is totally exempt from EIS review. It is our understanding that Norfolk pine seeds are collected by climbing the trees.

Large scale commercial collecting could result in secondary environmental impacts on adjoining vegetation or damage to the parent stock. Similarly the potential large scale gathering of tree ferns as a forest product on the outer islands without an environmental evaluation would not appear wise.

## 2. Replacement and Reconstruction

Items b and c both refer to the "establishment" or "erection" of facilities rather than replacement or reconstruction, thus they seem to be assigned to the wrong class.

In the case of "helispots" (heliports?) we recognize that under emergency situations, such facilities must be provided with little or no environmental consideration. However, if such a facility is constructed prior to an emergency situation, certain environmental considerations should be evaluated. For example, rare or endangered species, potential erosion problems, and visual impacts should be considered. Previous experience with military heliports created by blasting off the tops of the highest peaks, should surely be recognized and the practice avoided. It would seem that a negative declaration might be more appropriate, recognizing of course the need for quick action for emergency situations.

The erection of trail shelters and their potential environmental impact is basically dependent on their location. A blanket exemption for new construction would permit the construction of trail shelters in extremely fragile environments (Alakai Swamp for example) with no environmental evaluation.

## 3. Research

See our discussion in paragraph 1 regarding Herbicide usage and the attached review of the negative declaration for herbicide use at Kekaha, Kauai.

Thank you for the opportunity to review and comment on these proposed exemptions.



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Doak C. Cox, Director

cc: OEQC  
C. Lamoureux