

From: Bridget Hammerquist friendsofmahaulepu@hawaiiantel.net 
Subject: Hawaii News Now at 10PM-Has HDF Seen the Handwriting on the Wall?
Date: February 23, 2017 at 12:55 PM
To: Friendsofmahaulepu friendsofmahaulepu@hawaiiantel.net

BH

Aloha,

Big news Tuesday! HDF withdrew their FEIS from the Department of Health. There is no longer any decision for Dr. Pressler to make on February 24th, 2017. HDF also withdrew their application for the required NPDES (National Pollution Discharge Elimination System) General Stormwater Construction permit. What does this all mean? DOH will no doubt issue a Press Release on the effect of HDF's actions. Our attorneys are studying it now, but we take heart from the following Hawaii Administrative Rule, which indicates that the consequence of withdrawing their FEIS means that HDF has to start the process all over and file a new EIS, assuming they intend, as they told the Garden Island, to work with their consultants and re-submit a more complete study that would overcome the deficiencies identified by the Director of the Office of Environmental Quality Control:

HAR § 11-200-23(f) addresses withdrawn EISs. In the case of withdrawal, an “agency or applicant may withdraw an EIS by sending a letter to the office informing the office of the agency’s or applicant’s withdrawal. **Subsequent resubmittal of the EIS shall meet all requirements for filing, distribution, publication, review, acceptance, and notification as a new EIS.**” This is similar to the requirements for a non-accepted EIS that an applicant may wish to revise and resubmit (HAR § 11-200-23(e)) and supplemental EISs (HAR §§ 11-200-26 through 11-200-29). While those sections all use slightly different language, the overarching theme appears to be that any withdrawn or non-accepted EIS that is resubmitted--and any supplemental EIS that may be submitted--must go through the full procedural requirements.

See the front page of The Garden Island in the first link below. Meanwhile, in case you missed it, the other links below cover the OEQC Director's findings as well as several letters to the editor. We tried to send out a Hui letter Saturday, but it did not send to everyone because of a problem with the server. Hopefully, some of our public officials will take note of the National Farmers Union policy statement offered by its Founding President in Hawaii and recognize the difference between sustainable agriculture and the industrial dairy proposed at Maha`ulepu. If you just received your Midweek, check out the coverage of the dairy issue on pages 18 and 19. The National Farmer's Union letter was printed February 15, 2017.

2/21/2017

Hawaii Dairy Farms withdraws EIS from state consideration

http://thegardenisland.com/hawaii-dairy-farms-withdraws-eis-from-state-consideration/article_098628dc-f8ac-11e6-9289-ch0hh27672e1.html

http://the-garden-island.com/news/opinion/mailbag/letter-for-monday-feb/article_45fe4e17-3893-5/45b-902c-e4baac7dd428.html

2/20/2017

Dumbfounded by politician's support for dairy - *Wyatt and Linda Angelo*

http://the-garden-island.com/news/opinion/mailbag/letter-for-monday-feb/article_45fe4e17-3893-5/45b-902c-e4baac7dd428.html

2/18/2017

Support of Dairy Could be a Mistake

http://the-garden-island.com/news/opinion/mailbag/letters-for-saturday-feb/article_5da33db3-d863-5b1b-b0e3-b847ee5274aa.html

2/17/2017

Dairy won't work on Kauai - *Eden Marie Peart, organizer and founding president, Hawaii Farmers Union*

http://the-garden-island.com/news/opinion/mailbag/letters-for-friday-feb/article_7346092c-516c-56f3-be31-448bfd57706d.htm

Mahalo,
Bridget Hammerquist, President
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February 21, 2017

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**Subject: Withdrawal of Final Environmental Impact Statement
Hawai'i Dairy Farms
TMK (4) 2-9-003: 001 por. and 006 por.
Māhā'ulepū, Kaua'i, HI**

Dear Director Glenn:

Group 70 International, Inc. on behalf of Hawai'i Dairy Farms, LLC hereby

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GROUP 70 INTERNATIONAL, INC., ON BEHALF OF HAWAII DAIRY FARMS, LLC HEREBY withdraws the Final Environmental Impact Statement submitted on January 17, 2017 pursuant to Hawai'i Administrative Rules Section 11-200-23 (F).

Please call me at 351-4200 (mobile) if you have questions or need more information.

Sincerely,

GROUP 70 INTERNATIONAL, INC.



Jeffrey H. Overton, AICP, LEED AP
Principal Planner

cc: State of Hawaii, Dept. of Health, Director of Health, Virginia Pressler, M.D.
State of Hawaii, Dept. of Health, Environmental Planning Office
Hawaii Dairy Farms, LLC