

From: Bridget Hammerquist <bridgethammerquist@hawaiiintel.net>
Date: June 27, 2015 at 7:46:38 PM PDT
To: Ashly Trask <atrask@ntbg.org>
Subject: Our Support is Growing

Aloha All,

Since my last email of June 2, 2015, the Attorneys representing all named Defendants in our Federal Clean Water Complaint agreed to accept service, saving us from the cost of having to have each Defendant served individually. The response from HDF/Ulupono/Grove Farm etc. is due the first week of August.

For those who don't receive or may have missed this in the Garden Island Newspaper, the link that follows covers our Federal filing, and also reports comments from Amy Hennessy, on behalf of HDF and Ulupono. Of note is the fact that Ms. Hennessy freely admits to the very ground-disturbing and Clean Water violation activities that our complaint is based on.

http://thegardenisland.com/news/local/hdf-faces-lawsuit/article_603afbae-150d-5463-a27a-ffb6bb7fd575.html

We have had some very recent developments that are pretty exciting. FOM's Attorney, Charlie Tebbutt Esq. filed a formal request on June 26th, 2015, to join with the the Attorneys for the Hyatt in their request to Kaua'i County seeking a rescission of HDF's grubbing and grading permit. The request is based in part the failure of HDF's Waste Management Plan to protect the endangered species in the Valley. The exciting news, is that our request was joined by an International Organization, The Center for Biological Diversity. A brief description of their mission can be found on their website via the link that follows:

<http://www.biologicaldiversity.org/about/story/index.html>

The bottom line is, that our dilemma is now receiving National and International attention. In response to the Hyatt's complaint to the County, NRCS, and The West Kaua'i Soil and Water Conservation District, Peter Tausend, District Chair (WKSWCD), has agreed to consider our joint request that HDF's grading and grubbing permit be rescinded. The hearing will be held on July 21st at 3pm. I will send out information on the location. Please save the date, this will be an important hearing and we would appreciate as many attending as possible.

You will also note, on review of the following links from the Hyatt's Counsel, that the Hyatt has been very diligent in assuring that all State Agencies carefully review and consider everything HDF is putting before them prior to approving any Animal Feed Operation in Maha'ulepu which HDF now admits will be a CAFO (Concentrated Animal Feed Operation).

The Hyatt has told the State Water Commission that HDF materially misrepresented their operation when they applied for Well drilling permits. As a consequence, the Hyatt is asking the State to withdraw the Well permits. The following link will take you to a copy of their letters.

<https://www.sendthisfile.com/NkhpBw8TpDfVBNb1GyvR25RV>

Also below is a link that will allow you to download the Water Commission's entire file regarding HDF's well construction permits, including the new HDF-4, which wasn't added until April. The Water Commission's file is also a matter of public record, so please feel free to forward it to anyone who may wish to see it.

<https://www.sendthisfile.com/CZOo4HgrTP21DlcJwZzXSfQg>

In addition, as you can see from our Attorney's letter of June 26th (attached), US Fisheries and Wildlife is also questioning the advisability of an Industrial Dairy in Maha'ulepu. Any questions, feel free to email or call.

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