

From: DBEDT.ADC
To: pamelaburrell@me.com
Cc: [DBEDT OPSD Environmental Review Program](#)
Subject: RE: [EXTERNAL] Draft exemption list
Date: Tuesday, October 7, 2025 1:38:04 PM

Aloha Pamela,

Our office in receipt of your email below offering comment on the State of Hawai'i, Agribusiness Development Corporation's draft exemption list; we provide the following response:

Exemption Type 5 exempts "[b]asic data collection, research, experimental management, and resources and infrastructure testing and evaluation activities that do not result in serious or major disturbance to an environmental resource." Part 1 classifies the activities thereunder as *de minimis*; that is not rising to the level of requiring the declaration of an exemption. Absent a specific objection as to *why* these particular activities are a concern, ADC is unable to provide a complete response. Nevertheless, the Part 1 activities go to the heart of why the exemption process was established under Chapter 343, Hawai'i Revised Statutes; to exempt such basic and inconsequential actions that may still trigger the requirement to conduct an environmental assessment under the broad scope of the statute. Respectfully, ADC believes that the activities listed under Type 5/Part 1 are appropriate to Type 5/Part 1 (*de minimis*), and that those activities are consistent with other Part 1 exemptions in other listed exemption types listed, both in this draft and in other lists which have been previously concurred to by the Environmental Advisory Council. However, ADC defers to what guidance the Council might provide as to whether these specific activities are more appropriate to Part 1 or Part 2 exemptions.

Mahalo for your interest and your vigilance,

AGRIBUSINESS DEVELOPMENT CORPORATION

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(ltr)

From: DBEDT OPSD Environmental Review Program <dbedt.opsd.erp@hawaii.gov>
Sent: Monday, October 6, 2025 9:25 AM
Subject: Fw: [EXTERNAL] Draft exemption list

From: PAMELA BURRELL <pamelaburrell@me.com>
Sent: Thursday, September 25, 2025 7:57:54 AM
To: DBEDT OPSD Environmental Review Program <dbedt.opsd.erp@hawaii.gov>

Subject: [EXTERNAL] Draft exemption list

Aloha,

Type 5 part 1 raise's the most concerns for me.

Please reconsider.

Mahalo,

Pamela Burrell, Kaua'i