Message

From: Kermish, Laurie [Kermish.Laurie@epa.gov]
Sent: 3/14/2017 10:42:28 PM
To: Blake, Ellen [Blake.Ellen@epa.gov]; Garnett, Desean [Garnett.Desean@epa.gov]; Spiegelman, Nina [Spiegelman.Nina@epa.gov]; Lieben, Ivan [Lieben.Ivan@epa.gov]
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Thanks for the update Desean. **Ex. 5 AC/DP**

Laurie Kermish
CWA Section Chief
Office of Regional Counsel (ORC-2)
U.S. EPA, Region 9
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3917
(415) 947-3570 (fax)
kermish.laurie@epa.gov

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From: Blake, Ellen
Sent: Tuesday, March 14, 2017 3:12 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>; Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Lieben, Ivan <Lieben.Ivan@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Okay, thanks. Please keep me in the loop on that issues as it is legally complex.

Ellen Blake
Office of Regional Counsel
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
Tel: (415) 972-3496
Fax: (415) 947-3571
blake.ellen@epa.gov

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From: Garnett, Desean
Sent: Tuesday, March 14, 2017 3:11 PM
To: Blake, Ellen <Blake.Ellen@epa.gov>; Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Lieben, Ivan <Lieben.Ivan@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>

Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Ex. 5 AC/DP

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Blake, Ellen
Sent: Tuesday, March 14, 2017 2:55 PM
To: Garnett, Desean <Garnett.Desean@epa.gov>; Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Lieben, Ivan <Lieben.Ivan@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Thanks Desean. Ex. 5 AC/DP

Ellen Blake
Office of Regional Counsel
U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
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From: Garnett, Desean
Sent: Tuesday, March 14, 2017 11:25 AM
To: Spiegelman, Nina <Spiegelman.Nina@epa.gov>; Lieben, Ivan <Lieben.Ivan@epa.gov>
Cc: Kermish, Laurie <Kermish.Laurie@epa.gov>; Blake, Ellen <Blake.Ellen@epa.gov>
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

FYI – EPA recently accepted the Title VI administrative complaint against the Hawaii Department of Agriculture and the Hawaii Agribusiness Development Corporation. The complaint concerns HDOA's administration of its pesticides program and ADC's leasing/licensing of state lands for agriculture use. The complaint also includes the claim that ADC wrongfully withdrew its NPDES permit for the drainage ditch system.

Ex. 5 AC/DP

Also, a few media outlets have picked up on the story.

http://www.civilbeat.org/2017/03/epa-to-probe-whether-pesticide-use-harms-native-hawaiians/#.WMH-xsF1lJk.mailto

http://mauinow.com/2017/03/09/epa-opens-civil-rights-investigation-over-pesticide-use-in-hawaii/

https://www.law360.com/articles/900345/epa-opens-civil-rights-investigation-of-hawaii-pesticide-use

http://thegardenisland.com/news/local/epa-opens-investigation-over-pesticide-use-in-hawaii/article_bb345b4a-051d-11e7-9e6b-b74ac5023d93.html#.WMH9ygtgWIs.mailto

Please let me know if you have any questions.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Miller, Amy
Sent: Thursday, March 09, 2017 9:46 AM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Amy C. Miller
Senior Policy Advisor
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Martinez, Brittany
Sent: Thursday, March 9, 2017 9:43 AM
To: Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Hammond, Sandra - ASCR <Sandra.Hammond@ascr.usda.gov>; Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@usdoj.gov>; Banks, Denise - ASCR <Denise.Banks@ascr.usda.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Good afternoon everyone-

ECRCO issued the attached acceptance letters to HDOA, ADC, and Earthjustice this morning. Let me know if you have any questions. Thanks!

From: Neal, Daria (CRT) [mailto:Daria.Neal@usdoj.gov]
Sent: Thursday, March 02, 2017 5:12 PM
To: Hammond, Sandra - ASCR <Sandra.Hammond@ascr.usda.gov>
Cc: Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@usdoj.gov>; Banks, Denise -ASCR <Denise.Banks@ascr.usda.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Thank you. I'll send a calendar appointment.

From: Hammond, Sandra - ASCR [mailto:Sandra.Hammond@ascr.usda.gov]
Sent: Thursday, March 02, 2017 5:01 PM
To: Neal, Daria (CRT) <Daria.Neal@crt.usdoj.gov>
Cc: Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@crt.usdoj.gov>; Banks, Denise -ASCR <Denise.Banks@ascr.usda.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Re: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Hello All

Mr. Ruiz confirmed that he will be available at 1PM tomorrow.

Sent from my iPhone

On Mar 2, 2017, at 4:39 PM, Neal, Daria (CRT) <Daria.Neal@usdoj.gov> wrote:

> Hi Sandra,
> Is there a time after 1:00 that works for your team?
> Thanks.
> Daria
>
> ---
>
> **From:** Dorka, Lilian [mailto:Dorka.Lilian@epa.gov]
> **Sent:** Thursday, March 02, 2017 10:14 AM
> **To:** Neal, Daria (CRT) <Daria.Neal@crt.usdoj.gov>
> **Cc:** Hammond, Sandra - ASCR <Sandra.Hammond@ascr.usda.gov>; Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@crt.usdoj.gov>; Banks, Denise -ASCR <Denise.Banks@ascr.usda.gov>
> **Subject:** Re: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)
>
> Thanks all. I am disappointed we were not able to meet today but look forward to meeting tomorrow. I can make myself available anytime after 1:00 tomorrow. We expect to issue our letter tomorrow if at all possible. Thanks! Lilian
>
> Sent from my iPhone

On Mar 2, 2017, at 9:53 AM, Neal, Daria (CRT) <Daria.Neal@usdoj.gov> wrote:

EPA, is there a good time tomorrow for a call?

Sandra, in the meantime, can you share with us the nature of the revisions to the letter USDA made?

Thanks.
Daria

From: Hammond, Sandra - ASCR [mailto:Sandra.Hammond@ascr.usda.gov]
Sent: Thursday, March 02, 2017 9:42 AM
To: Neal, Daria (CRT) <Daria.Neal@crt.usdoj.gov>; Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@crt.usdoj.gov>; Banks, Denise -ASCR <Denise.Banks@ascr.usda.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Good Morning, Everyone.

I just received confirmation that Archie will not be available for the 10AM meeting today. Further, it would be best for us to hold the meeting on tomorrow as Mr. Ruiz would like to be involved in the conversation.

We apologize if this has caused any inconvenience to anyone.

Sandra Hammond
Team Lead, Program Intake
USDA-OASCR
Program Complaints Division
355 E Street, SW
PPIII – 7th Floor - Suite 267A
Washington, DC 20024
Work: 202-205-3579
Fax: 202-690-7442
Mobile: Ex. 6 Personal Privacy (PP)

From: Neal, Daria (CRT) [mailto:Daria.Neal@usdoj.gov]
Sent: Wednesday, March 01, 2017 5:25 PM
To: Crawford, Archie - ASCR <Archie.Crawford@ascr.usda.gov>; Hammond, Sandra - ASCR <Sandra.Hammond@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Mapp, Caroline - ASCR <Caroline.Mapp@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Lareau, Alyssa (CRT) <Alyssa.Lareau@usdoj.gov>

Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Thank you Archie,

Ex. 5 AC/DP

I will send a calendar invite for tomorrow. If 10:00 does not work, please let me know and we can work to find another time.

Thanks so much.
Daria

Daria E. Neal
Deputy Chief
Federal Coordination and Compliance Section
Civil Rights Division
United States Department of Justice
Email: daria.neal@usdoj.gov
Tel: (202) 305-3346
Fax: (202) 307-0595

Follow the Civil Rights Division on Twitter: @CivilRights
Sign up here for our Title VI Newsletter, and read past issues here.

From: Crawford, Archie - ASCR [mailto:Archie.Crawford@ascr.usda.gov]
Sent: Wednesday, March 01, 2017 2:46 PM
To: Neal, Daria (CRT) <Daria.Neal@crt.usdoj.gov>; Hammond, Sandra - ASCR <Sandra.Hammond@ascr.usda.gov>; Henry, William -ASCR <William.Henry@ascr.usda.gov>; Mapp, Caroline - ASCR <Caroline.Mapp@ascr.usda.gov>; Ruiz, Carl-Martin -ASCR <Carl-Martin.Ruiz@ascr.usda.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>
Subject: RE: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

Good Afternoon All

We send our apologies but we will be unable to have letter to you by COB today. We have made changes to the acceptance letter. We will forward our changes to you once they are complete.

If you have any questions, please let me know.

Vr
Archie

-----Original Appointment-----
From: Neal, Daria (CRT) [mailto:Daria.Neal@usdoj.gov]
Sent: Thursday, February 23, 2017 10:35 AM
To: Neal, Daria (CRT); Hammond, Sandra - ASCR; Crawford, Archie - ASCR; Henry, William -ASCR; Mapp, Caroline - ASCR; Ruiz, Carl-Martin -ASCR; Dorka, Lilian; Miller, Amy; Temple, Kurt; Martinez, Brittany
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)
When: Friday, February 24, 2017 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Teleconference -- Ex. 6 Conference Code

-----Original Appointment-----
From: Henry, William -ASCR **On Behalf Of** Neal, Daria (CRT)
Sent: Friday, February 24, 2017 1:22 PM
To: Hammond, Sandra - ASCR
Subject: FW: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)
When: Friday, February 24, 2017 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Teleconference -- Ex. 6 Conference Code

-----Original Appointment-----
From: Neal, Daria (CRT) [mailto:Daria.Neal@usdoj.gov]
Sent: Thursday, February 23, 2017 10:35 AM
To: Neal, Daria (CRT); Henry, William -ASCR; Mapp, Caroline - ASCR; Crawford, Archie - ASCR; Ruiz, Carl-Martin -ASCR; Dorka, Lilian; Miller, Amy; Temple, Kurt; Martinez, Brittany
Subject: Fwd: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)
When: Friday, February 24, 2017 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Teleconference -- Ex. 6 Conference Code

Is this what you are requesting Bill?

VR
Archie

Begin forwarded message:

From: "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov>
To: "Mapp, Caroline - ASCR" <Caroline.Mapp@ascr.usda.gov>
Subject: Fwd: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

FYA

VR
Archie

Begin forwarded message:

From: "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov<mailto:Daria.Neal@usdoj.gov>>
To: "Crawford, Archie - ASCR" <Archie.Crawford@ascr.usda.gov<mailto:Archie.Crawford@ascr.usda.gov>>, "Ruiz, Carl-Martin -ASCR" <Carl-Martin.Ruiz@ascr.usda.gov<mailto:Carl-Martin.Ruiz@ascr.usda.gov>>, "Henry, William -ASCR" <William.Henry@ascr.usda.gov<mailto:William.Henry@ascr.usda.gov>>, "Dorka, Lilian" <Dorka.Lilian@epa.gov<mailto:Dorka.Lilian@epa.gov>>, "Miller, Amy" <Miller.Amy@epa.gov<mailto:Miller.Amy@epa.gov>>, "Temple, Kurt" <Temple.Kurt@epa.gov<mailto:Temple.Kurt@epa.gov>>, "Martinez, Brittany" <Martinez.Brittany@epa.gov<mailto:Martinez.Brittany@epa.gov>>
Subject: Earthjustice Complaint Against Hawaii Department of Agriculture (HDOA), and the Hawaii Agribusiness Development Corporation (ADC)

It looks like this time is best for everyone. Attached are the Earthjustice complaint and draft letters from EPA. Looking forward to our talk tomorrow.

Daria E. Neal
Deputy Chief
Federal Coordination and Compliance Section
Civil Rights Division
United States Department of Justice
Email: daria.neal@usdoj.gov<mailto:daria.neal@usdoj.gov><mailto:daria.neal@usdoj.gov>
Tel: (202) 305-3346
Fax: (202) 307-0595

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Sign up
here<https://public.govdelivery.com/accounts/USDOJ/subscriber/new?qsp=997> for our Title VI Newsletter, and read past issues
here<http://www.justice.gov/crt/about/cor/pubs.php>.

<< File: EPA and USDA Joint Acceptance Letters to HDOA and ADC (Draft) 2.15.17.docx >> << File: ATT00001.htm >> << File: EPA and USDA Joint Acceptance Letters to Earthjustice (Draft) 2.15.17.docx >> << File: ATT00002.htm >> << File: Title VI Complaint and Exhibits.pdf >> << File: ATT00003.htm >>

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