Message

From: Garnett, Desean [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E7FF47BEFA1E4898A9BA3AEB77D31EE1-DGARNETT]
Sent: 8/29/2019 9:12:21 PM
To: Lieben, Ivan [Lieben.Ivan@epa.gov]; Kermish, Laurie [Kermish.Laurie@epa.gov]
CC: Blake, Ellen [Blake.Ellen@epa.gov]
Subject: FW: Informal Resolution Letter and Agreement- EPA Complaint Number 45RNO-16-R9
Attachments: 2019.08.29 45RNO-16-R9 Resolution Letter to Recipient ADC.pdf; Informal Resolution Agreement between EPA and ADC - FULLY EXECUTED.PDF

FYI – Title VI complaint against the Agribusiness Development Corporation was resolved today. The Title VI complaint against the Hawaii Dept. of Ag was resolved back in May of this year.

One important thing to note. The entirety of the substantive complaint against ADC involved the Agency needing to obtain an NDPES Permit for the Mana Plain drainage ditch system. Last month, the federal court in Hawaii ruled that ADC needs to obtain a NPDES permit for the drainage ditch system. The Honolulu Star, as well as several other news outlets in Hawaii, covered the story: https://www.staradvertiser.com/2019/07/10/breaking-news/federal-judge-finds-state-agency-violated-clean-water-act-on-kauai/. The NPDES permit issue was resolved entirely outside of the informal resolution process.

Desean

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

From: Robinson, Brittany
Sent: Thursday, August 29, 2019 12:59 PM
To: james.j.nakatani@hawaii.gov; Goff, Andrew D <andrew.d.goff@hawaii.gov>; Yee, Bryan C <bryan.c.yee@hawaii.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Quast, Sylvia <Quast.Sylvia@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Harrison, Brenda <Harrison.Brenda@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Busterud, Gretchen <Busterud.Gretchen@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Talbert-Duarte, Angelia <talbert-duarte.angelia@epa.gov>
Subject: Informal Resolution Letter and Agreement- EPA Complaint Number 45RNO-16-R9

Dear Executive Director Nakatani, Mr. Goff and Mr. Yee:

Attached, please find the Resolution Letter and Informal Resolution Agreement for the above referenced case. This has also been mailed to you by Certified Mail. Thank you for your cooperation and assistance in this matter and please do not hesitate to contact us if you have any questions.

Brittany Robinson
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-0727