Message

From: Kermish, Laurie [Kermish.Laurie@epa.gov]
Sent: 4/25/2019 1:17:16 AM
To: Garnett, Desean [Garnett.Desean@epa.gov]
Subject: HI ADC

Just fyi. Was this the Title VI matter recently closed out?

Rep. Ed Case (D-HI-1): A new incoming letter from the Congressman sent to OCIR's sent to Associate Administrator Troy Lyons for Congressional and Intergovernmental Relations was controlled to Region 9 regarding the Congressman's interest for a clarification of EPA's jurisdiction over the State of Hawaii's Agribusiness Development Corporation (ADC). The State of Hawaii created the ADC in 1994 to help transition Hawaii's agriculture industry away from one dominated by sugar and pineapple to one based on a wide variety of crops. The ADC is a state agency overseen by an independent eleven member board of directors. Though it is administratively attached to the State of Hawaii Department of Agriculture (HDOA), HDOA does not administer or fund the ADC. The ADC receives its own funding directly from the state, and it does not receive any federal funding. The ADC recently received contradictory rulings regarding its status as an agency for purposes of laws and regulations administered by the EPA. The Congressman's letter requests clarification of EPA's jurisdiction. Brent Maier shared the incoming letter with Enforcement Division's Amy Miller and Regional Counsel Sylvia Quast to ask for their guidance on who the letter should be controlled to in Region 9 for development of a draft response for signature by RA Mike Stoker. The letter has a due date of May 8, 2019. A copy of the incoming letter is available upon request. (HI-ENF)

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