



SHAN S. TSUTSUI  
PRESIDENT

DONNA MERCADO KIM  
VICE PRESIDENT

SAM SLOM  
MINORITY LEADER

## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

March 27, 2012

FIRST DISTRICT  
MALAMA SOLOMON

SECOND DISTRICT  
GILBERT KAHELE

THIRD DISTRICT  
JOSH GREEN, M.D.

FOURTH DISTRICT  
SHAN S. TSUTSUI

FIFTH DISTRICT  
ROSALYN H. BAKER

SIXTH DISTRICT  
J. KALANI ENGLISH

SEVENTH DISTRICT  
RONALD D. KOUCHI

EIGHTH DISTRICT  
SAM SLOM

NINTH DISTRICT  
LES IHARA, JR.

TENTH DISTRICT  
BRIAN T. TANIGUCHI

ELEVENTH DISTRICT  
CAROL FUKUNAGA

TWELFTH DISTRICT  
BRICKWOOD GALUTERIA

THIRTEENTH DISTRICT  
SUZANNE CHUN OAKLAND

FOURTEENTH DISTRICT  
DONNA MERCADO KIM

FIFTEENTH DISTRICT  
GLENN WAKAI

SIXTEENTH DISTRICT  
DAVID Y. IGE

SEVENTEENTH DISTRICT  
MICHELLE N. KIDANI

EIGHTEENTH DISTRICT  
CLARENCE K. NISHIHARA

NINETEENTH DISTRICT  
MIKE GABBARD

TWENTIETH DISTRICT  
WILL ESPERO

TWENTY-FIRST DISTRICT  
MAILE S.L. SHIMABUKURO

TWENTY-SECOND DISTRICT  
DONOVAN M. DELA CRUZ

TWENTY-THIRD DISTRICT  
CLAYTON HEE

TWENTY-FOURTH DISTRICT  
JILL N. TOKUDA

TWENTY-FIFTH DISTRICT  
POHAI RYAN

CHIEF CLERK  
CAROL TANIGUCHI

Mr. Howard West

Dear Mr. West:

Re: Nomination to the Board of Directors of the Small Business Regulatory Review Board GM 521

Congratulations on being nominated by Governor Neil Abercrombie to the Board of Directors of the Small Business Regulatory Review Board. To assist the Senate with its confirmation process, I would like to request that the following information be submitted to my office by **Thursday, April 5, 2012**:

- (1) A resume with a list of references
- (2) A written statement that addresses the following questions:
  - (a) Why do you wish to be a member of the Small Business Regulatory Review Board?
  - (b) How do you perceive the role and responsibilities of a member of the Small Business Regulatory Review Board?
  - (c) Given your experience in the role and responsibilities of a member of the Small Business Regulatory Review Board, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that have aided in your decision-making ability as a member of the Small Business Regulatory Review Board.
  - (d) What do you hope to accomplish during your term of service?
  - (e) Name three qualities that best describe you and that would make you stand out. How would these qualities benefit the Small Business Regulatory Review Board?

- (f) Name one previous experience that would make you stand out. How would this benefit the Small Business Regulatory Review Board?
- (g) Can you foresee any possible conflicts of interests that could arise during your service on the Small Business Regulatory Review Board? How would you overcome any possible conflicts of interest?

Your prompt response in providing the above information will ensure that the Senate confirmation process can proceed in a timely manner. The committee is scheduling your confirmation hearing on Wednesday, April 11, 2012 at 1:15pm in Conference Room 016. Please contact Doris Lam or EDT Committee Clerk Ashley Advincula at 586-6890 if you have additional questions.

Sincerely,



Senator Carol Fukunaga, Chair  
Senate Economic Development Committee

**§201M-5 Small business regulatory review board; powers.** (a) There shall be established within the department of business, economic development, and tourism, for administrative purposes, a small business regulatory review board to review any proposed new or amended rule or to consider any request from small business owners for review of any rule adopted by a state agency and to make recommendations to the agency or the legislature regarding the need for a rule change or legislation. For requests regarding county ordinances, the board may make recommendations to the county council or the mayor for appropriate action.

(b) The board shall consist of eleven members, who shall be appointed by the governor pursuant to section 26-34. Nominations to fill vacancies shall be made from names submitted by the review board. The appointments shall reflect representation of a variety of businesses in the State; provided that no more than two members shall be representatives from the same type of business, and that there shall be at least two representatives from each county.

(c) All members of the board shall be either a current or former owner or officer of a business and shall not be an officer or employee of the federal, state, or county government. A majority of the board shall elect the chairperson. The chairperson shall serve a term of not more than one year, unless removed earlier by a two-thirds vote of all members to which the board is entitled.

(d) A majority of all the members to which the board is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board is entitled shall be necessary to make any action of the board valid.

(e) In addition to any other powers provided by this chapter, the board may:

- (1) Adopt any rules necessary to implement this chapter;
- (2) Organize and hold conferences on problems affecting small business; and
- (3) Do any and all things necessary to effectuate the purposes of this chapter.

(f) The board shall submit an annual report to the legislature twenty days prior to each regular session detailing any requests from small business owners for review of any rule adopted by a state agency, and any recommendations made by the board to an agency or the legislature regarding the need for a rule change or legislation. The report shall also contain a summary of the comments made by the board to agencies regarding its review of proposed new or amended rules. [L 1998, c 168, pt of §2, §5; am L 2002, c 202, §§3, 5; am L 2007, c 217, §4]

[Previous](#)

[Vol04\\_Ch0201-0257](#)

[Next](#)



**Environmental Science International**  
**354 Uluniu Street, Suite 304, Kailua, Hawaii 96734**  
**(808) 261-0740 phone / (808) 261-0749 fax**

April 5, 2012

Senator Carol Fukunaga  
Chair, Economic Development and Technology Committee  
Senate District 11  
Hawaii State Capitol, Room 216  
Honolulu, Hawaii 96813

**Attention:** Senator Carol Fukunaga

**Subject:** Small Business Regulatory Review Board

**References:**

1. Nomination to the Board of Directors of the Small Business Regulatory Review Board.
2. GM 521.
3. Confirmation Hearing: 1:15 p.m., April 11, 2012.

Dear Senator Fukunaga,

Thank you for your letter of March 27, 2012, and the opportunity to respond to your questions. Your questions are listed below in bold italics followed by my responses.

***(a) Why do you wish to be a member of the Small Business Regulatory Review Board?***

I am interested in performing a community service and I believe that being a member of the board provides me with a means to perform a service to the small business community, which is part of the broader regulated community. The purpose of the small business I own is to provide environmental consulting services to the regulated community and to work, on their behalf, with regulatory agencies. Being a member of the board allows me to use my expertise with the regulated community and with regulatory agencies to help foster the small business community and to help agencies recognize how proposed rules and regulations affect that community.

***(b) How do you perceive the role and responsibilities of a member of the Small Business Regulatory Review Board?***

The role of the board, a role shared by each board member, is to review new rules and rule changes proposed by state and county agencies and to assess whether those changes will have an adverse impact on small business. Each board member is designated as a

discussion leader for specific agencies with which the board member has expertise or familiarity. A discussion leader is expected to provide the board, as a whole, with a well-developed and informed opinion on whether the new rule or rule change affects small business and, if so, whether the affect is adverse. The diversity of board members allows the board, as a whole, to provide thoughtful and knowledgeable assessments of these rules and their potential impacts to small business.

While the responsibilities and duties of the board are defined by statute, I also believe that each board member has a duty to the agencies that submit proposed rules and rule changes to the board for review. In my view, the board provides a means of assisting agencies with mitigating or eliminating adverse impacts to small business and thereby helping to make Hawaii's economy more robust and dynamic. Agencies and rule makers may not have the experience necessary to identify rules that contain elements adverse to small business. The board members provide that experience.

- (c) Given your experience in the role and responsibilities of a member of the Small Business Regulatory Review Board, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that have aided in your decision-making ability as a member of the Small Business Regulatory Review Board.***

After having participated as a board member over the last ten months, I believe that I am qualified for the position owing to the nature of the business in which my company is engaged and my level of involvement in the company. My company is a small business that offers environmental consulting services. This profession is almost entirely regulatory-driven. I have explained, read, interpreted, studied, or worked under environmental regulations every working day for almost eighteen years, all in the context of working for or owning a small business.

### **Knowledge**

In the normal course of work, I am involved with many federal regulations. The ones I am most involved with are those of the Environmental Protection Agency, but I also deal routinely with regulations under the U.S. Department of Transportation, the Occupational Safety and Health Administration, and the U.S. Coast Guard. Other regulatory bodies with which I have had experience include the Department of Housing and Urban Planning and the Department of Energy.

The principal state agency with which I have routine contact is the Department of Health (Hazard Evaluation and Emergency Response Office, Solid and Hazardous Waste Branch, Clean Water Branch, Clean Air Branch, Noise and Radiation Branch). Other state agencies with which I have direct experience include the Department of Transportation (principally, Harbors Division and Highways Division) and the Department of Land and Natural Resources.

The state statutes under which my business operates primarily are the Environmental Response Law, the Hawaii Emergency Planning and Community Right-To-Know Act, the Hawaii Solid Waste Law, the Hawaii Hazardous Waste Law, the Hawaii Underground Storage Tank Law, the Water Pollution Law, the Hawaii Environmental Impact Statement Law, and the Land Use Commission.

The state rules under which most of my company's projects are conducted are within Title 11 HAR and include the State Contingency Plan, the water quality standards, water pollution control, underground storage tanks, and environmental impact statements. In 1995, I provided comment at the initial public hearing for the proposed State Contingency Plan. I also have experience with the hazardous waste rules, solid waste rules, asbestos rules, wastewater systems rules, ambient air quality rules, potable water systems rules, and with water resources rules under Title 13 HAR.

### **Skills and Expertise**

The skills and expertise that I have gained over the years have translated well to being what I hope is a productive board member. My principal expertise is with helping a client (part of the regulated community) solve or handle a problem driven by a regulatory requirement. Typically, this involves a regulated entity, such as a land owner, having to solve an environmental issue that exists because of a violation of a state rule.

As an example, a land owner has a tenant who contaminates their property with a hazardous substance and is now facing an enforcement action from the Department of Health. I act as an intermediary between the land owner and the regulatory agency to ensure that the land owner is aware of the regulatory obligations of the tenant and the agency is aware that the land owner understands its obligations under the law. I provide consultation regarding the response of the tenant to the enforcement action so that the land owner and the agency have a full understanding as to the appropriateness of the tenant's response.

As a member of the board, I find that I act, in a way, as an intermediary between the agencies and the small business community. I strive to understand the impact of a proposed rule on small business as I would the impact of an enforcement action on a land owner. I also try to understand the intent and implications of the proposed rule under the broad scope of the statute. The state may have no choice in implementing a rule change because of a change in federal law. However, there may be a way for the state to implement that change in such a way that the impact to small business is mitigated or eliminated.

Small business and state and county agencies are part of the same community, just as a land owner and a regulatory agency are part of the same community. It is critical that each understand the needs of the other. With that understanding, I believe that the needs of the

small business community can be accommodated within the framework of rulemaking. My experience with having to understand the different perspectives of affected parties has contributed greatly to my decision-making as a member of the board.

**(d) *What do you hope to accomplish during your term of service?***

I hope to help perpetuate an environment in which agencies can present proposed rules and rule changes to the board and use the board members' experience to ensure that the rules that go to public hearing have the best interests of small business included to the extent practicable. It is my belief that such an environment can help agencies anticipate public concerns over potential adverse impacts to small business and can foster positive and constructive public participation.

On a personal note, I hope to increase my awareness, understanding, and appreciation of state and county rules and regulations that lie outside of my area of expertise. It also is my desire to increase my understanding of rules and regulations already within my area of expertise.

**(e) *Name three qualities that best describe you and that would make you stand out. How would these qualities benefit the Small Business Regulatory Review Board?***

**Detail-Oriented.** This quality benefits the board because I thoroughly review and think about proposed rules and regulations I am tasked with as a discussion leader. As an example, for a recent proposed rule review, I examined an agency's proposed annual budget increases and then calculated independently those increases, using the data provided to the board by the agency, and compared my calculations with the agency's stated anticipated budget needs. I found that the agency was asking for a substantially greater increase than their anticipated budget appeared to warrant. The agency representative did not have an explanation at the time of the board meeting but later came back with a reasonable explanation.

**Curious and Interested.** This quality benefits the board because I carefully review all of the proposed rules and regulations submitted to the board, even if I have no experience with those rules and am not the discussion leader. I may not be able to provide the board with a shrewd assessment of the potential effect of rules with which I have no experience on small businesses of which I have little or no knowledge. However, I believe that this helps achieve my goal of increasing my awareness, understanding, and appreciation of state and county rules and regulations that lie outside of my area of expertise. I anticipate that the increase in my familiarity with such rules will increase my value to the board over time.

**Objective and Fair.** This quality benefits the board because I try to understand the potential small business impacts within the framework of the agency's situation and

mandate. With this quality, it is my belief that I provide value to small businesses by trying to understand how a proposed rule will affect them. It also is my belief that I provide value to agencies by recommending changes that mitigate potential negative effects on small business but that do not detract from the intent or implementation of the rule. Following those recommendations can benefit the agency by addressing small business concerns before public hearing and benefit small businesses because their concerns are being addressed proactively.

**(f) Name one previous experience that would make you stand out. How would this benefit the Small Business Regulatory Review Board?**

The previous experience that stands out is that I have set up and grown a small business. In October 2001, a business partner and I set up an environmental consulting firm. Previously, we were at separate companies. I brought one of the employees who worked with me at my former company to the newly-formed company. That gave us a staff of three and no clients. Within a few weeks, the employee I brought with me left for the Mainland and my business partner went on an extended vacation.

In the ensuing months, I performed the roles of proposal writer, cost estimator, field manager, project manager, field worker, report writer, administrator, bookkeeper, payroll manager, office manager, and staff recruiter. A little more than five months later, I added our first permanent staff member, who is still with us to this day. The following year, I added our office manager, who also is still with us. Today, we have a staff of 37 and they have taken on many of my former roles.

My experiences over the course of the last ten and a half years have given me an intimate understanding of small business and a knowledge of the kind of business environment the state must have to foster small business development. This understanding and knowledge provides the board with a member who understands the workings of small business combined with a strong background in working with state rules and with state agencies. I believe that this is a benefit to the board.

**(g) Can you foresee any possible conflicts of interests that could arise during your service on the Small Business Regulatory Review Board? How would you overcome any possible conflicts of interest?**

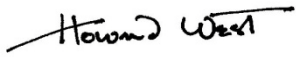
I do not foresee possible conflicts of interest that could arise during my tenure with the board. Should a conflict of interest arise regarding my suitability under statute as a board member, I would confer with the Chair of the board and with the Deputy Attorney General to the board and defer to their judgement. Should a conflict of interest arise regarding my review of a particular proposed rule, I would excuse myself from discussion or voting and hope there was still quorum.



Senator Carol Fukunaga  
April 5, 2012  
Page 6

Thank you for your questions. Please contact me at 479-4320 (cellular) or by email at [hauwahine@esciencei.com](mailto:hauwahine@esciencei.com), if you have questions or require further information.

Mahalo,

A handwritten signature in black ink that reads "Howard West". The signature is written in a cursive style with a long horizontal stroke extending to the right from the end of the word "West".

Howard West  
Vice President  
Environmental Science International, Inc.

TESTIMONY  
OF  
HOWARD B. WEST  
TO THE  
SENATE COMMITTEE  
ON  
ECONOMIC DEVELOPMENT AND TECHNOLOGY  
ON  
April 11, 2012

G.M. 521

Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, HOWARD B. WEST, for a term to expire June 30, 2016.

Chair Fukunaga and members of the Committee, mahalo for the opportunity to appear before you today.

Mahalo to Governor Neil Abercrombie for nominating me. It is an honor and a privilege to be considered as a member of the Small Business Regulatory Review Board.

I extend my thanks and appreciation to everyone who submitted letters of support on my behalf and to members of the Small Business Regulatory Review Board who lent me their support. In particular, I thank Mr. Charles Au, Vice Chair of the Small Business Regulatory Review Board, who brought the mandate of the board to my attention and encouraged me to apply.

I would like to take a moment to explain how I came to be standing here before you. Following my schooling at the Kamehameha Schools, the University of Hawaii at Manoa, and Rice University in Houston, I began my professional career as an assistant professor and then assistant researcher at the University of Hawaii. After six years in the academic world of geochemistry, I ventured out into the world of small business.

Initially, I served as the Technical Director of a small, women-owned business in the field of environmental consulting. There, I learned the environmental field and, equally important, the management of staff, resources, budgets, projects, and subcontractors. I also learned that working in a small business environment had little similarity to working for the State of Hawaii, within the university system.

Seven years later, a business partner and I formed our own environmental consulting firm. That was over ten years ago. Working for a small business helped me in beginning my own business, but it did not prepare me for having to manage the details of many job positions. Proposal writer, cost estimator, field manager, project manager, report writer, administrator, bookkeeper, payroll manager, and office manager were among my early roles. Now, we have staff that have taken on many of these roles.

My experiences working for and running a small business mesh well with the mandate of the Small Business Regulatory Review Board. The environmental consulting business is a regulatory-driven profession. Thus, working with statutes, rules, regulations, departmental policies, and regulatory guidelines are an everyday part of doing business. Because rules change and new rules are added, a constant vigilance is necessary to remain current.

The state's economic situation has created a challenging climate for small business. The Small Business Regulatory Review Board is tasked with reviewing state and county proposed rule changes and proposed new rules for their potential impacts on small business. My vision for the board is to work on behalf of small businesses, reviewing proposed rules and rule changes that could affect them, as though these businesses were our own. This can be accomplished by working respectfully and cooperatively with state and county agencies.

I believe that my experience in working for, creating, and running a small business combined with my experience in working with Hawaii statutes and rules makes me a candidate worth considering for appointment to the Small Business Regulatory Review Board. My active

participation as a interim board member over the last ten months strengthens my belief that I can serve competently.

In closing, I would like to thank this committee for considering my nomination. At this time, I would like to answer any questions the committee may have.

**GM 521**

**Mr. Howard West**  
Small Business Regulatory Review Board

**EDT**

TESTIMONY  
OF  
HOWARD B. WEST  
TO THE  
SENATE COMMITTEE  
ON  
ECONOMIC DEVELOPMENT AND TECHNOLOGY  
ON  
April 11, 2012

G.M. 521

Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, HOWARD B. WEST, for a term to expire June 30, 2016.

Chair Fukunaga and members of the Committee, mahalo for the opportunity to appear before you today.

Mahalo to Governor Neil Abercrombie for nominating me. It is an honor and a privilege to be considered as a member of the Small Business Regulatory Review Board.

I extend my thanks and appreciation to everyone who submitted letters of support on my behalf and to members of the Small Business Regulatory Review Board who lent me their support. In particular, I thank Mr. Charles Au, Vice Chair of the Small Business Regulatory Review Board, who brought the mandate of the board to my attention and encouraged me to apply.

I would like to take a moment to explain how I came to be standing here before you. Following my schooling at the Kamehameha Schools, the University of Hawaii at Manoa, and Rice University in Houston, I began my professional career as an assistant professor and then assistant researcher at the University of Hawaii. After six years in the academic world of geochemistry, I ventured out into the world of small business.

Initially, I served as the Technical Director of a small, women-owned business in the field of environmental consulting. There, I learned the environmental field and, equally important, the management of staff, resources, budgets, projects, and subcontractors. I also learned that working in a small business environment had little similarity to working for the State of Hawaii, within the university system.

Seven years later, a business partner and I formed our own environmental consulting firm. That was over ten years ago. Working for a small business helped me in beginning my own business, but it did not prepare me for having to manage the details of many job positions. Proposal writer, cost estimator, field manager, project manager, report writer, administrator, bookkeeper, payroll manager, and office manager were among my early roles. Now, we have staff that have taken on many of these roles.



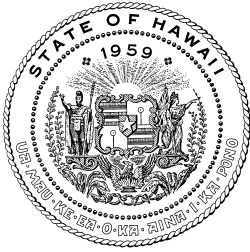
My experiences working for and running a small business mesh well with the mandate of the Small Business Regulatory Review Board. The environmental consulting business is a regulatory-driven profession. Thus, working with statutes, rules, regulations, departmental policies, and regulatory guidelines are an everyday part of doing business. Because rules change and new rules are added, a constant vigilance is necessary to remain current.

The state's economic situation has created a challenging climate for small business. The Small Business Regulatory Review Board is tasked with reviewing state and county proposed rule changes and proposed new rules for their potential impacts on small business. My vision for the board is to work on behalf of small businesses, reviewing proposed rules and rule changes that could affect them, as though these businesses were our own. This can be accomplished by working respectfully and cooperatively with state and county agencies.

I believe that my experience in working for, creating, and running a small business combined with my experience in working with Hawaii statutes and rules makes me a candidate worth considering for appointment to the Small Business Regulatory Review Board. My active

participation as a interim board member over the last ten months strengthens my belief that I can serve competently.

In closing, I would like to thank this committee for considering my nomination. At this time, I would like to answer any questions the committee may have.



## SMALL BUSINESS REGULATORY REVIEW BOARD

---

Department of Business, Economic Development & Tourism  
No. 1 Capitol District Bldg., 250 South Hotel St. 5<sup>th</sup> Fl., Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Tel 808 586-2594  
Fax 808 586-2572

### MEMORANDUM

**Neil Abercrombie**  
Governor

**Richard C. Lim**  
Director, DBEDT

**Mary Alice Evans**  
Deputy Director, DBEDT

#### Members

Sharon L. Pang  
Chairperson  
Oahu

Charles Au  
Vice Chairperson  
Oahu

Richard Schnitzler  
2<sup>nd</sup> Vice Chairperson  
Hawaii

Bruce Bucky  
Oahu

Peter Yukimura  
Kauai

David S. De Luz, Jr.  
Hawaii

Howard West.  
Oahu

Chu Lan Shubert-Kwock  
Oahu

TO: Chair Fukanuga, Vice Chair Wakai, and Members of the  
Committee on Economic Development and Technology

FROM: Sharon L. Pang, Chairperson *Sharon L. Pang*  
Small Business Regulatory Review Board

DATE: April 11, 2012

PLACE: State Capitol - Conference Room 016; 1:15 p.m.

SUBJECT: GM 521 – Submitting for Consideration and Confirmation to the  
Small Business Regulatory Review Board, Gubernatorial  
Nominee, Howard West, for a term to expire 6-30-16

---

The Small Business Regulatory Review Board (SBRRB) is in support of the gubernatorial nomination of Dr. Howard West to serve as a member of the SBRRB. Dr. West has been serving as an interim board member since June 2011, and has become an active participant in the monthly board meetings.

Dr. West brings a wealth of knowledge in the area of environmental health as evidenced by his educational, professional, and business background. He holds a B.S., M.S., and Ph.D., in geology and geophysics, and has numerous environmental, geological and other related certifications. He is also a graduate of Kamehameha Schools.

Dr. West is a founder and executive vice president of Environmental Science International, a full-service environmental consulting firm specializing in environmental assessment, investigation, remediation and management. His expansive background in environmental health issues is extremely valuable and beneficial to this Board when reviewing rules and regulations from the departments of health, land and natural resources, and Hawaiian Home Lands.

Thank you for the opportunity to express our support of Dr. West's nomination to the Small Business Regulatory Review Board

## *50<sup>th</sup> State Management Corporation*

February 12, 2012

Senator Carol Fukunaga  
Chair, Economic Development and Technology Committee  
Senate District 11  
Hawaii State Capitol, Room 216  
Honolulu, Hawaii 96813

Dear Senator Fukunaga,

As president of 50<sup>th</sup> State Management Corporation, a property management and development firm in Kailua, I am more than happy to highly recommend Howard West as an asset to the Small Business Regulatory Review Board.

I have personally known Mr. West for the past eleven years both in a Lessor/Lessee relationship and as a direct client of Environmental Science International, his company. On many occasions Mr. West has been directly and invaluable involved in our business relationship and without question he has always been professional, trustworthy, detailed in his guidance, and he is a great person to work with.

I have seen Mr. West grow his business from a small 500 s.f. 3 person office to the current thirty-five person office. Mr. West obviously understands the needs of small and growing businesses.

The Board, and all affiliated, will truly benefit from Mr. West's permanent appointment.

Respectfully,



Aaron J. Scherman  
President

April 2, 2012

Senator Carol Fukunaga  
Chair, Economic Development and Technology Committee  
Senate District 11  
Hawaii State Capitol, Room 216  
Honolulu, Hawaii 96813

RE: Howard West, Ph.D.

Dear Senator Fukunaga,

I am writing to you as a personal friend and employee of Mr. Howard West who is subject to confirmation of his appointment to the State of Hawaii Small Business Regulatory Review Board. I have known Mr. West for over 10 years and have worked with him for the past 9 years. In the all the years that I have worked with Mr. West, he has exhibited numerous qualities that make me comfortable in supporting his nomination for the position. He uses good judgment, consideration, and discretion in his business decisions, and he is a person of high integrity. It is my opinion that in his capacity as Vice President and co-founder of Environmental Science International, he has been, and still is, the main driving force that has propelled ESI to be the successful business that it is today. With his help and guidance, many of our employees, but especially our senior managers, have built strong relationships with our clients, vendors, regulatory agencies, and other business associates.

I support Mr. West's nomination to the State of Hawaii Small Business Regulatory Review Board based upon his vast experience, knowledge, and leadership in running a small business.

Respectfully,

Audrene M. Duarte  
Office Manager  
Environmental Science International, Inc.

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

LISA WOODS MUNGER

ALII PLACE, SUITE 1800 • 1099 ALAKEA STREET  
HONOLULU, HAWAII 96813

MAIL ADDRESS: P.O. BOX 3196  
HONOLULU, HAWAII 96801

TELEPHONE (808) 547-5600 • FAX (808) 547-5880  
info@goodsill.com • www.goodsill.com

DIRECT DIAL:  
(808) 547-5744

INTERNET:  
lmunger@goodsill.com

April 10, 2012

*Via Email: EDTtestimony@capitol.hawaii.gov*

Senator Carol Fukunaga  
Chair, Committee on Economic Development and Technology  
Hawaii State Capitol, Room 216  
415 S. Beretania Street  
Honolulu, Hawaii 96813

**Re: GM 521 - Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, HOWARD WEST, for a term to expire 6-30-2016.  
Hearing date & time: Wednesday, April 11, 2012 at 1:15 p.m.**

Dear Chair Fukunaga and Members of the Committee on Economic Development and Technology:

I write to express my strong support for the nomination of Howard West to join the Small Business Regulatory Review Board.

Howard West successfully leads a highly respected environmental consulting firm, Environmental Science International, so he knows the difficulties faced by small businesses in our State. But I believe it is Dr. West's detailed knowledge of and professional experience with state and county rules that will make him an invaluable member of the Small Business Regulatory Review Board.

I understand that the responsibilities of the Small Business Regulatory Review Board include the evaluation of existing rules and proposed rules as they may affect small business. Howard West's professional experience is to advise businesses, large and small, concerning compliance with environmental rules. As a lawyer practicing in this area, let me assure you that these rules are not always easy to understand. Dr. West understands the need for clarity in rules and the need to assess the impact of rules before they are adopted. I know that the Legislature and the agencies that look to the Board for guidance will find that Dr. West's evaluations are clear and concise.

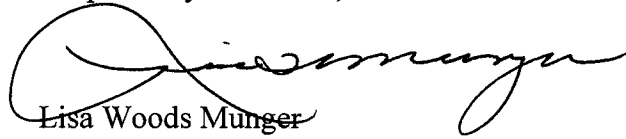
It is long been my experience that Dr. West is a person who looks for solutions rather than a person who simply finds problems. I believe you will find that Dr. West's

Senator Carol Fukunaga  
April 10, 2012  
Page 2

contributions to the Board will not be only to find fault with rules, but to identify opportunities to make them better.

Thank you for this opportunity to express my strong support for this excellent nomination.

Respectfully submitted,



Lisa Woods Munger



April 5, 2012

Senator Carol Fukunaga  
Chair, Economic Development and Technology Committee  
Senate District 11  
Hawaii State Capitol, Room 216  
Honolulu, Hawaii 96813

Re: GM 521 – Testimony in Support of appointment of Howard West to Small Business Regulatory Review Board.

Hearing Date: Wednesday, April 11, 2012, 1:15 PM

Dear Senator Fukunaga,

My name is Robert Creps and I am writing in my capacity as Senior Vice President of Grace Pacific Corporation. Grace Pacific is in the business of road construction and the supply of construction materials. As such our operations have a significant impact on the communities we operate in. Grace Pacific places a very high priority on environmental compliance with regulatory agencies and on taking a leadership role in reducing the impact of our operations on our neighbors.

Grace Pacific has worked with Howard West and his company, Environmental Sciences International, since July of 2001. Mr. West has been instrumental in Grace's development of our Environmental Management System. Over the years Mr. West has been a valued advisor to Grace and possesses a well-balanced sense of the need for businesses to operate efficiently while at the same time respecting the environment we operate in. Further, in our dealings I have found Mr. West's technical mastery of regulatory matters to be unsurpassed.

I understand that the role of the Small Business Regulatory Review Board is to review proposed state and county legislation for its effect on small business. Understanding this, and with my observations above, I wholeheartedly support Howard West's appointment to the Small Business Regulatory Review Board.

Sincerely,

Robert M. Creps  
Senior Vice President  
Grace Pacific Corporation





April 2, 2012

Senator Carol Fukunaga  
Chair, Economic Development and Technology Committee  
Senate District 11  
Hawaii State Capital, Room 216  
Honolulu, Hawaii 96813

Re: Measure: GM 521; Date – April 11, 2011; Time: 1:15pm.

Mr. Howard West's Nomination: Interim Small Business Regulatory Review Board

Honorable Carol Fukunaga:

I am writing you as a friend and business associate of Mr. Howard West who is subject to confirmation of his appointment by Governor Abercrombie to serve on an interim basis on the Small Business Regulatory Board. I have known Mr. West for over 19 years and support his nomination to this position. Howard who works for Environmental Science International (ESI) has been used by our company to evaluate various properties regarding environmental issues and has provided guidance in terms of compliance issues. I have found Howard to be extremely knowledgeable and detailed in his assessments. He is very open regarding his recommendations and understands small businesses and the affect that the respective recommendations have on our small company. In addition to this Howard has a very respectable reputation that is based upon his knowledge, honesty, and hard work.

I strongly support Mr. Howard West's nomination to serve on an interim basis on the Small Business Regulatory Review Board and feel that he would do an excellent job in reviewing any proposed state and county legislation and its effect on small businesses.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Robert Kern", written over a horizontal line.

E. Robert Kern  
Director of Operations  
Mid Pac Petroleum



April 4, 2012

Senator Carol Fukunaga  
Senate District 11  
Hawaii State Capitol, Room 216  
Honolulu, Hawaii 96813

Re: Measure: GM 521, April 11, 2012, 1:15 p.m.  
Appointment of Howard West to the State Small Business Regulatory Review Board

Dear Senator Fukunaga:

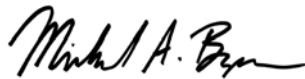
The purpose of this letter is to support the appointment of Howard West to the Hawaii Small Business Regulatory Review Board.

As an environmental manager for a major energy company, I have worked with and utilized the environmental and regulatory consulting services of Mr. West since 1998. During this period I found Mr. West to be highly skilled technically and knowledgeable about regulatory issues. I also found him to be a fair and objective person, exhibiting the highest integrity in all of his dealings with people.

While the skills and qualities listed above are admirable and important for someone representing the people and businesses of Hawaii, I believe Mr. West's sincerity and love for Hawaii will make him an especially valuable member of the review board.

I strongly support the appointment of Howard West to the Small Business Regulatory Review Board.

Sincerely,



Michael A. Bryan  
131 Osage Moon Rd.  
Bartlesville, Oklahoma 74003