



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

Testimony of
David Y. Ige
Governor, State of Hawai'i
Before the

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

May 13, 2020

1:00 p.m., Conference Room 016

In consideration of

Governor's Message 549

Submitted for consideration and confirmation of Kathleen S.Y. Ho as the
Director of the Office of Environmental Quality Control

Chair Gabbard, Vice Chair Ruderman, and committee members:

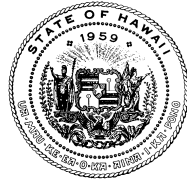
I respectfully request your support in confirming the appointment of Kathleen S.Y. Ho to serve as the Director of the Office of Environmental Quality Control.

Ms. Ho has dedicated the last twenty-seven years to serving the people of Hawai'i as a Deputy Attorney General, Health Division. Her commitment to environmental protection is evident in her portfolio of issues that encompasses hazardous and solid waste, natural resource damages, environmental crimes, and clean water. Ms. Ho was an advisor to the Office of Environmental Quality Control and Environmental Council. In her role as an advisor she helped draft administrative rules. She has demonstrated her ability to successfully negotiate with federal agencies and municipalities.

Ms. Ho has received awards and commendations from the Department of Health, Department of the Attorney General and the U.S. Department of Justice.

This administration is committed to transforming the culture of government by embracing and accelerating change. I'm confident that Kathleen Ho will support our employees in the Office of Environmental Quality Control in this effort. Together, we can build a better home for our keiki, kupuna, and all the residents of Hawai'i.

Mahalo for your consideration.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of GM549
Submitting for consideration and confirmation as the Director of the Office of
Environmental Quality Control, Gubernatorial Nominee, KATHLEEN S.Y. HO, for a
term to expire 06-30-2023.

SENATOR MIKE GABBARD
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: May 13, 2020

Room Number: 016

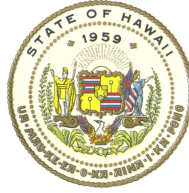
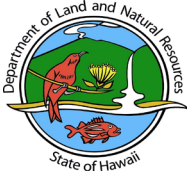
1 **Department Testimony:** The Department of Health strongly supports the nomination of
2 Kathleen Ho for Executive Director of the Office of Environmental Quality Control (OEQC).
3 Kathy has both regulatory and legal experience in environmental health that more than qualifies
4 her for this position. Her advocacy over the years has resulted in numerous protections for the
5 natural environment as well as corrective actions for polluters and violators. Kathy is a team
6 player and her clients in the Department of Health speak highly of her integrity, passion, and
7 effectiveness. OEQC and the State of Hawaii overall will benefit under Kathy's leadership.

8 Thank you for the opportunity to testify.

9 **Offered Amendments:** N/A.

10

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT**

**Wednesday, May 13, 2020
1:00 PM
State Capitol, Conference Room 016**

**In consideration of
GOVERNOR'S MESSAGE 549
SUBMITTING FOR CONSIDERATION AND CONFIRMATION AS
DIRECTOR OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL
GUBERNATORIAL NOMINEE
KATHLEEN S.Y. HO
FOR A TERM TO EXPIRE ON 6-30-2023**

The Department of Land and Natural Resources (Department) strongly supports Governor's Message 549 nominating Kathleen S.Y. Ho as the Director of the Office of Environmental Quality Control (OEQC) for a term to expire June 30, 2023.

The OEQC has just launched its much anticipated new rules. These rules were three years in the making and have been greeted with anticipation and excitement by all of the agencies that have been waiting for clearer more streamlined rules. The next director will be expected to guide the OEQC in the use of the rules, in the unanticipated challenges that arise, as well as in the normal administration of a state agency.

Kathleen Ho seems particularly well suited to this challenge. She has been involved in several high-profile environmental lawsuits representing the state in cases that clarified important policy regarding environmental law in Hawaii. She worked closely with the OEQC on its new rules, and therefore is well suited to continue their implementation. Her overall understanding of Hawaii's environmental law will help as the state negotiates global climate change and the environmental challenges that come with sea level rise and increases in catastrophic weather events.

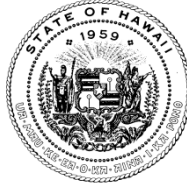
Thank you for your consideration of the Department's strong support of Governor's Message 549, nominating Kathleen S.Y. Ho as the Director of the Office of Environmental Quality Control.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

May 13, 2020
1:15 p.m.
State Capitol, Room 016

G.M. 549

Submitting for consideration and confirmation as the Director of the Office of Environmental Quality Control, Gubernatorial Nominee, KATHLEEN S.Y. HO, for a term to expire 06-30-2023.

Senate Committee on Agriculture and Environment

The Department of Transportation (DOT) **strongly supports** Kathleen Ho as the Director of Environmental and Quality Control (OEQC).

Ms. Ho received her BS at San Francisco University, her JD at University of California, Hastings College of Law and her LLM in Environmental Law at Lewis and Clark Law School. Since 1984 she has specialized in environmental law in private practice and as Attorney General for the past 27 years. In 1994 she became the Adjunct Professor at William S. Richardson School of Law on hazardous waste law and pretrial litigation.

Her education and experiences in environmental law affirms her knowledge and wisdom. The DOT believes Ms. Ho is exceedingly qualified to lead OEQC which is tasked to provide advice and assistance regarding Chapter 343, Hawaii Revised Statutes, to government agencies like the DOT, private industry and community groups, conducting research, legislative initiatives, public outreach, and recommending programs for the long-range implementation of environmental quality control. We can count on her to look at all sides of an issue before making a decision. She is a woman of common sense and sound judgment

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI
DIRECTOR

ANNE EUSTAQUIO
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

www.labor.hawaii.gov

Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: dlir.director@hawaii.gov

May 13, 2020

To: The Honorable Mike Gabbard, Chair,
The Honorable Russell E. Ruderman, Vice Chair, and
Members of the Senate Committee on Agriculture and Environment

Date: Wednesday, May 13, 2020
Time: 1:00 p.m.
Place: Conference Room 016, State Capitol

From: Scott T. Murakami, Director
Department of Labor and Industrial Relations (DLIR)

**Re: G.M. No. 549 Submitting for consideration and confirmation as the
Director of the Office of Environmental Quality Control, Gubernatorial Nominee,
KATHLEEN S.Y. HO**

Chair Gabbard, Vice Chair Ruderman, and Members of the Committee:

My name is Scott T. Murakami, and I am the Director of the Department of Labor and Industrial Relations. I am testifying in strong support of Governor's Message 549, Gubernatorial Nominee, Kathleen S.Y. Ho, as the Director of the Office of Environmental Quality Control (OEQC).

Ms. Ho has demonstrated that she has the leadership and experience to serve as the Director of the OEQC. As the Director, Ms. Ho administers the Environmental Impact Statements' law, advises decision makers of the environmental review process, and serves as the Governor's advisor on all matters relating to environmental quality control. Ms. Ho's educational background in Environmental Law and experience as a Deputy Attorney General in the Health Division, where she represented the State in all aspects of the environmental law, demonstrate her ability to advise and counsel on legal matters, understand administrative rules, and advocate for environmental stewardship.

I urge you to confirm Ms. Ho to serve as the Director of the OEQC so that she may continue to provide leadership and service to the public.

Thank you very much for the opportunity to testify in support of Ms. Ho.

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
HEARING ON MAY 13, 2020 AT 1:00PM IN CR 016

IN SUPPORT OF

GM549

for consideration and confirmation as the Director of the Office of Environmental Quality Control, Gubernatorial Nominee, **KATHLEEN S.Y. HO**,
for a term to expire 06-30-2023

May 13, 2020

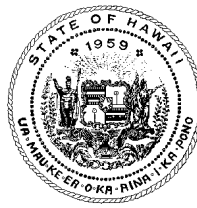
Aloha Chair Gabbard, Vice Chair Ruderman, and members of the Committee:

We provide this testimony in support of Governor Ige's nomination of Kathleen S.Y. Ho as the Director of the Office of Environmental Quality Control.

Ms. Ho's background and professional credentials show her dedication to environmental protection and enforcement policies. She has been the Deputy Attorney General, Health Division, for the last 27 years, representing the State of Hawaii in all aspects of environmental law. She has received a Certificate of Commendation from the U.S. Department of Justice; a Sustained Superior Performance Award from the Department of the Attorney General; and a Certificate of Appreciation from the Department of Health. She is well-qualified for this nomination.

We respectfully ask your committee to advise and consent to this nomination, and we thank you for your consideration of our testimony.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Shari L. Kimoto
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON GOVERNOR'S MESSAGE 549,
SUBMITTING FOR CONSIDERATION AND CONFIRMATION AS THE
DIRECTOR OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL,
GUBERNATORIAL NOMINEE KATHLEEN S.Y. HO.

by
Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Agriculture and Environment
Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair

Wednesday, May 13, 2020; 1:00 p.m.
State Capitol, Conference Room 016

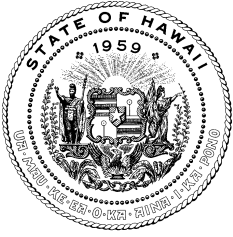
Chair Gabbard, Vice Chair Ruderman, and Members of the Committee:

The Department of Public Safety (PSD) **supports** the nomination of Kathleen Ho as the Director of the Office of Environmental Quality Control.

Ms. Ho's long experience in the Health Division of the Department of the Attorney General, concentrating in various areas of environmental law, has prepared her well to assume the position of Director of the Office of Environmental Quality Control. Her educational background as an undergraduate Biology major with a law degree and hands-on legal experience in a range of environmental issues will serve her well in undertaking the challenges of overseeing the State's response to various initiatives and concerns.

The Department respectfully urges the Senate's confirmation of Kathleen Ho as Director of the Office of Environmental Quality Control.

Thank you for the opportunity to present this testimony.



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

235 South Beretania Street, 5TH Floor, Honolulu, HI 96813 | energy.hawaii.gov

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

(808) 587-3807

Testimony of
SCOTT J. GLENN, Chief Energy Officer

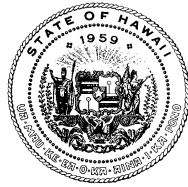
before the
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Wednesday, May 13, 2020
1:00 PM
State Capitol, Conference Room 016

In SUPPORT of
GOVERNOR'S MESSAGE 549, KATHLEEN S.Y. HO
As the Director of the Office of Environmental Quality Control
(Written Testimony Only)

Chair Gabbard, Vice Chair Ruderman, and Members of the Committee, I am writing in support of the appointment of Ms. Kathleen S.Y. Ho to serve as the Director of the Office of Environmental Quality Control (OEQC).

Ms. Ho brings extensive legal experience in environmental law to the OEQC at just the time that the OEQC and broader community needs it. As a former Director of the OEQC, I can attest that Ms. Ho has the experience and capability to guide this office. With the promulgation of new administrative rules for Chapter 343, Hawaii Revised Statutes, the OEQC will be called upon by the public, agencies, and applicants to offer guidance on the implementation of these rules. Ms. Ho's experience as a deputy attorney general ensures the OEQC's guidance will be well-grounded in the law, fair and balanced, and bring a welcome level of assurance to practitioners and legal counsels on undertaking the environmental review process. Should the Committee and Senate confirm Ms. Ho, I look forward to supporting Ms. Ho in her leading the OEQC into its next stage.

Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

Testimony of Dr. Keith E. Kawaoka, Deputy Director, Environmental Health
in SUPPORT of GOVERNOR'S MESSAGE 549
Submitting for consideration and confirmation as the Director of the Office of
Environmental Quality Control
KATHLEEN S. Y. HO, for a term to expire 06-30-2023

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Hearing Date: May 13, 2020 Room Number: 016

Thank you for the opportunity to testify in **strong support** of the confirmation of Ms. Kathleen Ho to serve as Director of the Office of Environmental Quality Control.

I have worked with Ms. Ho for over 20 years as Deputy Attorney General in her support of environmental health programs. Over the course of this period, Ms. Ho has exemplified a hard-working, dedicated public servant who is consistently willing to support any effort in a team player and building fashion. Her institutional knowledge and expertise in many environmental protection areas and including at the Office of Environmental Quality Control will provide invaluable expertise and experience in guiding the state's critical environmental quality in the years ahead.

Please grant her the opportunity to continue her leadership and commitment to the overall goals of the Office of Environmental Quality Control.

Mahalo for the opportunity to testify.



May 12, 2020

Via Capitol Website

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair
Senate Committee on Agriculture and Environment
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 549 – Submitting for consideration and confirmation as the Director of the Office of Environmental Quality Control, Gubernatorial Nominee, KATHLEEN S. Y. HO

Hearing: Wednesday, May 13, 2020 at 1:00 pm

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Senate Committee on Agriculture and Environment:

I write this letter in strong support of Kathleen Ho for the position of Director of the Office of Environmental Quality.

In my role as an environmental attorney, I have known Ms. Ho for more than fifteen years, primarily in her role as my opposing counsel in many different environmental matters. As Deputy Attorney General, Ms. Ho represents the State Department of Health, and I have represented many of the individuals, businesses and organizations that come before the Department of Health for permitting, compliance and penalty matters.

From my work with her over the years in matters before the Department of Health, I have found that Ms. Ho has a thorough understanding of the federal and state laws affecting the environment, natural resources and land use. These laws are an integral part of the environmental impact statements that are submitted to the Office of Environmental Quality Control.

In addition, Ms. Ho has demonstrated the ability to work strategically and effectively to resolve matters in many different contexts, and I

May 12, 2020

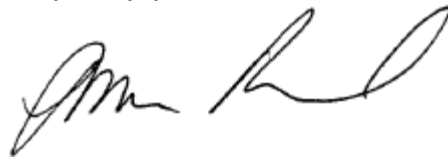
Page 2

have observed her effectively represent her client in many different environmental compliance and penalty matters, including the Matson molasses incident, where I represented Matson. The Office of Environmental Quality Control will benefit from her experience and leadership.

Finally, Ms. Ho has the temperament to be a successful Director of a very public agency. Over the years, I have known her to be respectful of others and to listen to opposing views. The essence of Chapter 343 and the environmental impact statement process is to allow views to be expressed so that the views can be considered by those who ultimately make decisions. I believe Ms. Ho will manage the Office of Environmental Quality Control in a manner that is consistent with its stated purpose “to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations.”

In summary, there is no question that Kathleen Ho is extremely capable and highly qualified to be the next Director of the Office of Environmental Quality Control. For these reasons, I strongly support Ms. Ho for the position of Director. Thank you for the opportunity to submit comments.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lisa A. Bail', written in a cursive style.

Lisa A. Bail

LAB



May 12, 2020

Via Capitol Website

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair
Senate Committee on Agriculture and Environment
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 549 – Submitting for consideration and confirmation as the Director of the Office of Environmental Quality Control, Gubernatorial Nominee, KATHLEEN S. Y. HO

Hearing: Wednesday, May 13, 2020 at 1:00 pm

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Senate Committee on Agriculture and Environment:

I write this letter in strong support of Kathleen Ho for the position of Director of the Office of Environmental Quality Control.

I have known Ms. Ho for more than twenty years. It has been so long that I cannot recall the matter that first brought us together. Throughout that time we have been on “the opposite sides of the table,” with Ms. Ho working as a Deputy Attorney General and representing the State Department of Health, and with me representing many of the individuals, businesses and organizations that come before the Department of Health

There is no question that Kathleen Ho is extremely capable and highly qualified to be the next Director of the Office of Environmental Quality Control. I believe Ms. Ho will bring at least three important attributes to this position.

First, Ms. Ho has a long and distinguished career as a lawyer representing the Department of Health. In this capacity, she has an understanding of the federal and state laws affecting the environment, natural resources and land

May 12, 2020

Page 2

use. These laws are an integral part of the environmental impact statements that are submitted to the Office of Environmental Quality Control.

Second, Ms. Ho has demonstrated the ability to work collaboratively with diverse stakeholders. I recall working with her on a natural resources damages assessment that required representatives of the U.S. Department of the Interior, the U.S. Department of Commerce, the U.S. Navy, the State Department of Land and Natural Resources, the State Department of Health and a major petroleum company to reach agreement. The Office of Environmental Quality Control will benefit from her experience and leadership.

Third, Ms. Ho has the temperament to be a successful Director of a very public agency. Over the years, I have known her to be respectful of others and to listen to opposing views. The essence of Chapter 343 and the environmental impact statement process is to allow views to be expressed so that the views can be considered by those who ultimately make decisions. I believe Ms. Ho will manage the Office of Environmental Quality Control in a manner that is consistent with its stated purpose “to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations.”

For these reasons, I strongly support Ms. Ho for the position of Director of the Office of Environmental Quality Control. Thank you for the opportunity to submit comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa Woods Munger". The signature is fluid and cursive, with a large initial "L" and "M".

Lisa Woods Munger

LWM

GM-549

Submitted on: 5/10/2020 11:45:05 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Slovin	Testifying for SanHi Government Strategies	Support	No

Comments:

I am pleased to submit this testimony in strong support of the nomination of Kathleen Ho to serve as the Director of the Office of Environmental Quality Control. I have worked with Kathy on many issues related to her environmental regulatory work as an employee of the Department of Health. She is a very accomplished and competent person. Through her long years of service at DOH she has certainly become one of the most knowledgeable persons in the community in the environmental area. She is diligent, careful, thoughtful and a problem solver. She is a listener, willing to hear arguments and alter her position when it is justified. But she is also courageous and steadfast when that is what is called for. She won't vary from her duty to protect the public interest. But, when she disagrees with a position you might take you at least feel you were heard and treated with respect. Her integrity is unassailable. Her long service at DOH has earned her widespread respect. That respect and her experience make her an extremely qualified candidate. If confirmed, I feel very confident that she will maintain and advance the work of the OEQC. .

GM-549

Submitted on: 5/8/2020 1:16:21 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tara Herlitz	Individual	Support	No

Comments:

I write in strong support of nominee Kathleen S.Y. Ho for director of the Office of Environmental Quality Control (OEQC). I believe that she would make a great addition to the OEQC, because of her extensive knowledge of the law - especially environmental law - as well as her fairness and compassion in dealing with others.

I worked with Ms. Ho as a fellow deputy attorney general in the Department of the Attorney General, State of Hawaii. There, I witnessed firsthand Ms. Ho's ability to work well with opposing counsel, witnesses, and members of the general public.

Thank you for considering my comments. Please feel free to contact me if you have any questions.

Tara (Molnar) Herlitz

GM-549

Submitted on: 5/9/2020 11:28:21 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Kaaumoana	Individual	Support	No

Comments:

Aloha, I have known Ms. Ho for nearly twenty years. We met in her capacity as an attorney for the State in the Pflueger clean water act case in which I was the plaintiff. Ms. Ho worked well with the community interests in this action and was able to listen to the concerns of those who were most affected by the case. She has a long and active history of natural resource work in Hawaii and will serve our State well in the capacity of OEQC Director.

I strongly support her nomination and urge your confirmation.

Mahalo.

GM-549

Submitted on: 5/9/2020 12:18:17 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carrie Okinaga	Individual	Support	No

Comments:

I strongly support the appointment of Kathy Ho as Director of the Office of Environmental Quality Control. As the former Corporation Counsel of the City & County of Honolulu (City), I had the honor and pleasure of working with Kathy in her role as lead Deputy Attorney General representing the State Department of Health (DOH) on multiple matters involving the City's wastewater and solid waste programs. In this context, DOH acts as regulator and the City as the regulated entity, so our clients' interests were not necessarily aligned, notwithstanding a shared desire to protect the environment.

I got to know Kathy very well, spending 6 years with her (along with attorneys, experts, and clients from the US EPA, DOJ, State DOH, State DAG, environmental groups, and the City) negotiating and finally obtaining federal court approval for the City's 2010 wastewater consent decree. To say that this was a complex negotiation is an understatement.

Kathy played a pivotal role in helping to obtain what ended up being a monumental, multi-party consent decree that has ultimately withstood the test of time, across administrations and changed circumstances. Even though our clients were "across the table" from each other, I know from personal observation over a pretty long, intense period of time, that her vast expertise in environmental law and regulations, her strong desire to protect our environment as well as the people who live in it, and her unwavering professionalism and solid judgment, were invaluable to all of us in the negotiations, and to obtaining the final result which many thought might be impossible.

Our State has been very fortunate to have someone of her caliber willing to serve the public and our environment over multiple decades. Her dedication and commitment to our environment and the State of Hawaii is unquestioned, and her ascension to this OEQC leadership position is just another opportunity for her to use her considerable talents, knowledge, and experience to our benefit. Thank you for your consideration.

GM-549

Submitted on: 5/10/2020 12:46:29 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Nakata	Individual	Support	No

Comments:

I write in strong support of nominee Kathleen S.Y. Ho for the Director of the Office of Environmental Quality Control (OEQC). I believe that she would make a great addition to the OEQC, because of her extensive knowledge of the law, especially environmental law, as well as her fairness and compassion in dealing with others.

I have known Ms. Ho for over 20 years and have worked with her as a fellow deputy attorney general in the Department of the Attorney General, State of Hawaii. There, I witnessed firsthand Ms. Ho's intelligence, ability to work well with others, and her good nature. She would make an excellent Director of the OEQC.

Thank you for considering my comments. Please feel free to contact me if you have any questions.

May 10, 2020

Nathan T. Okubo
Direct Line: (808) 521-9256
Direct Fax: (808) 540-5026
E-mail: nokubo@caedes.com

Via Email

The Honorable Mike Gabbard, Chair
The Honorable Russell E. Ruderman, Vice Chair
Committee on Agriculture and Environment
Hawaii State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM549; Testimony in Support of the Confirmation of Gubernatorial Nominee,
Kathleen S.Y. Ho as Director of the Office of Environmental Quality Control

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Committee:

I write in **strong support** of the nomination of Kathleen S.Y. Ho as Director of the Office of Environmental Quality Control.

I have known Kathleen (Kathy) for approximately nineteen years since I first externed for her at the Attorney General's office while I was a college student. Kathy is a first-rate attorney, and I had the privilege of seeing first-hand her extensive knowledge and experience in environmental law. She served as an excellent example for me as a young college student with aspirations of being a lawyer for the way she conducted herself with the highest ethical standards and dedication to her practice. But what I will always appreciate about Kathy was the time she spent to teach me about environmental practices and what it was like to be an attorney. She was an exceptional teacher and mentor, and for that I will always be grateful.

Our state will greatly benefit from having Kathy serve as Director of the Office of Environmental Quality Control.

Thank you for considering my testimony. Please do not hesitate to contact me if you have any questions.

Kathleen S.Y. Ho as Director of the Office of Environmental Quality Control

May 10, 2020

Page 2

Very truly yours, _

A handwritten signature in black ink, consisting of a series of fluid, connected strokes that form a stylized name.

Nathan T. Okubo

for

CADES SCHUTTE

A Limited Liability Law Partnership

GM-549

Submitted on: 5/10/2020 3:05:33 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Rosales	Individual	Support	No

Comments:

Kathleen Ho has been a preeminent practitioner of environment law for over 20 years. She is highly qualified and a dedicated civil servant.

What is more important is that she is an educated, motivated, hard working, ethical and moral person. It is this rare combination of traits that we so desperately need in this rapidly changing and tumultuous time.

GM-549

Submitted on: 5/11/2020 10:35:19 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Candace J. Park	Individual	Support	No

Comments:

Kathy will be excellent as the Director of the Office of Environmental Quality Control. Not only does she possess expertise in the subject matter, but she has the poise and temperament that makes her someone who can work with anyone, and someone who anyone will enjoy working with. Vote yes to Kathy Ho!

GM-549

Submitted on: 5/11/2020 10:49:25 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Blake Oshiro	Individual	Support	No

Comments:

GM-549

Submitted on: 5/11/2020 10:58:48 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Suzuki	Individual	Support	No

Comments:

I enthusiastically support the confirmation of Kathleen S. Y. Ho to be the Director of the Office of Environmental Quality Control. She is qualified by her experience and knowledge in environmental law that was gained from her many years of direct line experience in enforcing our environmental laws. She has the right disposition and independent attitude to ensure that the office is not politicized. Thank you for allowing me to support her nomination. Russell Suzuki

GM-549

Submitted on: 5/11/2020 11:07:04 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
J Ashman	Individual	Support	No

Comments:

GM-549

Submitted on: 5/11/2020 11:12:12 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Brooks	Individual	Support	No

Comments:

I have worked with Kathy Ho for over 25 years in my capacity as toxicologist for the Hazard Evaluation and Emergency Response Office, Department of Health. She will be an excellent Director of the Office of Environmental Quality Control. Kathy has the requisite skills that will advance the environmental goals and policies of the State of Hawaii. Specifically, she is an excellent communicator, tolerant of differing opinions, collaborative, and a problem solver. In addition, Kathy is energetic and a joy to work with. I have no doubt that OEQC will flourish under her leadership. Thank you for the opportunity to provide testimony in support of Kathy's appointment.

GM-549

Submitted on: 5/11/2020 11:33:17 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
CRAIG KUGISAKI	Individual	Support	No

Comments:

I am writing to SUPPORT the nomination of KATHLEEN S.Y. HO for Director of the Office of Environmental Quality Control.

Ms. Ho was the Deputy Attorney General who represented the Solid Waste Division of Department of Health, when I was the attorney for a DOH licensee in a number of administrative disputes with the agency. As a result, I able to provide my assessments of Ms. Ho as a lawyer and her character.

In my dealings with Ms. Ho, I always found her straightforward, honest, reasonable and fairly candid. While at times our interactions were contentious, we were able to resolve our differences amicably and in a productive manner that allowed for a continuing dialogue regarding the needs of our clients. Although we were "adversaries", I have come to respect and appreciate her ability to resolve difficult issues.

Based on the foregoing, I am SUPPORTING this nomination.

Craig Kugisaki, Attny (retired)

GM-549

Submitted on: 5/11/2020 11:36:05 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani	Individual	Support	No

Comments:

GM-549

Submitted on: 5/11/2020 12:38:44 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pat Ohara	Individual	Support	No

Comments:

My name is Patricia Ohara and I write in strong support of the nominee Kathleen Ho for the position of Director of the OEQC. On numerous occasions, I have had the privilege to work with Kathy at the Attorney General's where we are both deputies, and have found her to be unfailingly helpful, informed, energetic, and a pleasure to collaborate with in brainstorming on legal issues. She not only has a thorough knowledge of environmental law, but brings a balanced approach to her analyses, considering the law and the practicalities of the situation. Kathy will do very well as Director, and the Administration would be fortunate to have someone as capable as she in that position.

GM-549

Submitted on: 5/11/2020 1:25:26 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeyan Thirugnanam	Individual	Support	No

Comments:

My name is Jeyan Thirugnanam. I am testifying as a private citizen. I strongly support Kathleen Ho's nomination as Director of OEQC.

I was a planner at OEQC from 1991 to 2007. From 1993-2006 I worked with Kathleen Ho, who advised OEQC and the Environmental Council on various matters, including drafting the 1996 administrative rules.

Kathleen Ho is highly qualified for the OEQC Director position and I strongly recommend approval.

**TESTIMONY OF BEHALF OF KATHLEEN S.Y. HO
TO HAWAII SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

To: Chair Senator Mike Gabbard and Committee Members
From: Robert T. Takamatsu
Date: March 11, 2020
RE: Appointment of Kathleen Ho to Director of the Office of Environmental Quality Control

I wish to submit testimony in favor of Kathleen Ho regarding her appointment to lead the Office of Environmental Quality Control.

I am an attorney, licensed in the State of Hawaii since 1980, and I am general counsel for a heavy civil construction company, Goodfellow Bros. LLC. I have known Ms. Ho for over 30 years.

Ms. Ho is an excellent attorney. She is intelligent, articulate and presents herself well. She is confident without being arrogant. She has a bachelors degree in Biology and has used her educational background very well during her term as a deputy attorney general for the Department of Health. She works well with others and is a team player. She is passionate in her desire to protect the environment.

Based on the many years that I have known her, I strongly believe that Kathy Ho is an excellent choice to be the director of the State of Hawaii's Office of Environmental Quality Control. I fully support Ms. Ho. This testimony is provided without qualification.

DATED: Honolulu, Hawaii, May 11, 2020.



ROBERT T. TAKAMATSU

Puananionaona Patria Thoene

onaona.thoene@gmail.com

Testimony of Puananionaona P. Thoene before
the **SENATE COMMITTEE ON AGRICULTURE
AND ENVIRONMENT**

Wednesday, May 13, 2020
1:00 pm
State Capitol, Conference Room 016

in **SUPPORT** of
GOVERNOR'S MESSAGE (GM) 549
SUBMITTING FOR CONSIDERATION AND
CONFIRMATION OF **KATHLEEN S.Y. HO** AS
DIRECTOR OF THE OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

May 8, 2020

Aloha e Chair Gabbard, Vice Chair Ruderman, and Members of the Senate Committee on Agriculture and Environment,

I strongly support GM 549, appointing Ms. Kathleen Ho as the Director of the Office of Environmental Quality Control (OEQC) for a term to expire on June 30, 2023.

I am the current Chair of the Environmental Council (Council), however, I submit this testimony in support of GM 549 in my individual capacity. Ms. Ho has vast experience working for the State of Hawai'i Department of Health (DOH) as well as a Deputy Attorney General representing DOH, a capacity in which I have had the opportunity to work with Ms. Ho in the past. Ms. Ho also has experience working in the private sector. Ms. Ho is particularly suited to be the Director of the OEQC as she previously advised OEQC and the Council and assisted with drafting of the 1996 version of the Environmental Impact Statement rules. Her experience in this area will be invaluable to OEQC and the Council. I hope to be able to work with her in this new role as Director of OEQC.

For these reasons, I strongly support GM 549 and ask that this Committee please confirm Ms. Ho's appointment as Director of OEQC.

Mahalo for this opportunity to testify on this matter and for your consideration,



Puananionaona P. Thoene

GM-549

Submitted on: 5/11/2020 2:07:45 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary	Individual	Support	No

Comments:

Senators, I, Mary Begier do currently serve on the Environmental Council of OEQC however, I am testifying as an individual citizen of the State of Hawaii today and not on behalf of the EC.

I speak in support of Kathleen Ho's appointment by Governor Ige to be the Director of the Office of Environmental Quality Control. Kathleen Ho's experience with rule making at OEQC in the past and the variety of State of Hawaii departments and divisions she has represented in her many years in government seems to make this a good fit for her skills.

In addition I note that Kathleen Ho has also been a partner in a private law firm and respected by her peers to serve as an Adjunct Professor at Richardson School of Law. Protecting our environment is important to a variety of persons and interests. Kathleen Ho appears to have the diversity to accomplish that mission for the OEQC. Thank you for your consideration.

GM-549

Submitted on: 5/11/2020 2:12:26 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Kaye	Individual	Support	No

Comments:

While I currently serve on the Environmental Council of OEQC, I am submitting this testimony as an individual citizen of the State of Hawaii, and a resident of Lana'i.

I support Kathleen Ho's appointment by Governor Ige to be the Director of the Office of Environmental Quality Control (OEQC). Ms. Ho's past experience with rule making at OEQC, as well as her roles in a variety of State of Hawaii departments and divisions make her a good fit for OEQC's needs.

Protecting our environment is important to all of us in Hawaii, and OEQC is an critical component of that protection. Ms. Ho will be a valuable contributor to its mission. Thank you for your consideration.

GM-549

Submitted on: 5/11/2020 3:32:30 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Terry	Individual	Support	No

Comments:

Aloha Legislators:

I would like to testify in favor of Kathleen Ho's appointment by Governor Ige to be the Director of the Office of Environmental Quality Control. Although I do serve on the Environmental Council, I would like to make it clear that this testimony is not on behalf of the Council but rather as an individual. But I have become familiar with her experience and character during the several times she has attended Council meetings. She seems to have tremendous experience in both the public and private sector and even in 1996 with the critical OEQC/Environmental Council function of administrative rule making. I believe she will bring a balanced, judicious and thoughtful approach to the role of Director, which is extremely important in a position that interfaces regularly with the Environmental Council, the public, agencies, consultants, landowners, and the Legislature. Thank you for your consideration.

Ron Terry rterry@hawaii.rr.com

May 11, 2020

The Honorable Mike Gabbard, Chair
The Honorable Russell E. Ruderman, Vice Chair
Senate Committee on Agriculture and Environment

Re: Confirmation of Kathleen S.Y. Ho as Director of OEQC

Chair Gabbard, Vice Chair Ruderman, and Members of the Committee:

Please confirm Kathleen Ho as Director of OEQC. I have known and worked with Kathy for more than two decades and can assure you that she will be an effective and dedicated Director.

Kathy was my colleague at the Department of the Attorney beginning in 1992. I became her supervisor several years later and remained in that position until I retired in November 2018. At all times Kathy was reliable, knowledgeable, competent, personable, and a real pleasure to work with.

As you can see from her resume, Kathy has broad experience in multiple fields of environmental law: hazardous waste, solid waste, natural resources damages, environmental crimes, and clean water. She has advised OEQC and the Environmental Council and knows how they operate. She is knowledgeable about Hawaii's environmental challenges and the things that make our environment unique.

Kathy is an effective problem solver and finds out what she needs to know in order to resolve any situation. One quality that I have particularly valued over the years is her reasonableness. She listens to everyone courteously and with interest, is fair, and consequently others listen to her. Kathy is a skillful consensus builder, able to respect differences and find common ground. She remains positive.

Kathy is dedicated to environmental work. Along with her work at the Attorney General's office, she volunteers regularly for Earth Day events and has been a repeat speaker at the law school in environmental and other courses. Several times a year during our long relationship, Kathy has volunteered to me "I love my job!" She didn't need to tell me that because the way she performed her job proved the point, but still it was nice to hear. I'm confident that this attitude will carry over in her work at OEQC.



Heidi M. Rian

c: Kathy Ho

GM-549

Submitted on: 5/11/2020 6:19:26 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Madeleine Austin	Individual	Support	No

Comments:

I am testifying in support of GM 549, the Governor's nomination of Kathleen S.Y. Ho to serve as the Director of the Office of Environmental Quality Control.

Kathy Ho would be a stellar OEQC Director. She has an unusual breadth and depth of experience in protecting Hawai'i's environment, as well as a passionate commitment to advancing the public interest.

I worked closely with Kathy during the eight years we were both members of the Office of the Attorney General. During the year I was the Special Assistant to a former Attorney General, and during the subsequent years when we were both Deputy AGs and for a few years both members of the Environmental Team, I was continuously impressed by Kathy's integrity, work ethic, teamwork, and deep understanding of environmental law and procedure.

Kathy's experience advising OEQC on amending its regulations demonstrates her commitment to a fair and transparent process of environmental review of proposed new projects. She is dedicated to helping decisionmakers make well-informed decisions by ensuring that the public and all other stakeholders have a voice in the review process.

Kathy's character, commitment to the public interest, collaborative leadership style, and vast substantive and practical experience in environmental matters would make her an outstanding OEQC Director.

May 11, 2020

Senate Committee on Agriculture and Environment

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

Confirmation of Kathleen S.Y. Ho as Director of the Office of Environmental Quality Control (OEQC)

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Committee

I submit this testimony in **support** of confirming Governor David Ige's appointment of Kathleen S.Y Ho as Director of the Office of Environmental Quality Control. Based on my professional interactions with Kathy and her extensive environmental experience as evidenced by her strong resume, I believe she is well-qualified to be the OEQC Director.

Until I retired in 2019, I had practiced law for 33 years, the last 17 of which have been in Hawaii. During that time, I represented my client in a number of matters involving the Hawai'i Department of Health (DOH). In several of those matters, Kathy was the Hawai'i Deputy Attorney General representing the DOH.

In all our interactions, I found that Kathy was knowledgeable, respectful, and firm but fair, all qualities that I respect and appreciate. From my experience, the regulatory system works best when there is mutual respect between the regulatory agency and its counsel and the regulated entity and its counsel.

Beyond our mutual representations, I was an adjunct at the William S. Richardson School of Law for 5 years, during which I taught courses on Environmental Compliance of Regulated Industries and the Law of Hazardous Waste. Despite being evening courses, on her personal time, Kathy volunteered to meet with us on several occasions to share her experiences and perspectives as a Deputy Attorney General in the environmental enforcement area. The students asked a myriad of questions, all of which she cheerfully and comprehensively answered (except for a few related to ongoing enforcement that were governed by the attorney-client privilege). Based on the students' responses, I believe they would have rather had Kathy as their professor than me.

In summary, I believe Kathy will do a great job as Director of the OEQC and I urge you to confirm her as Director.

Sincerely,



Steven J. Oppenheimer

May 11, 2020

Honorable Mike Gabbard, Chair
Honorable Russell E. Ruderman, Vice Chair
Senate Committee on Agriculture and Environment

RE: GM 549 – Confirmation of Kathleen S. Y. Ho as Director of the
Office of Environmental Quality Control (“OEQC”)

Dear Chair Gabbard, Vice Chair Ruderman, and Members of the Committee:

Please confirm Ms. Kathleen S. Y. Ho as Director of the OEQC. I have known Kathy for five years and can assure you that she will be an effective, competent, and dedicated Director.

I briefly worked with Kathy at the Department of the Attorney General. During that time, I observed Kathy’s integrity, impressive breadth of knowledge, work ethic, reasonableness, and approachability. As indicated on her résumé, Kathy has broad experience in environmental matters and is well qualified to lead and manage the OEQC. Moreover, Kathy’s representation of the OEQC as a Deputy General Attorney provides her with the unique knowledge of the OEQC’s operations and the environmental review process.

Kathy’s character, commitment to public interest, collaborative and approachable leadership style, and vast substantive knowledge and experience in environmental matters would make her an outstanding OEQC Director.

Aeri Y. Tilker

cc: Kathleen S. Y. Ho

GM-549

Submitted on: 5/12/2020 6:37:24 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
genevieve salmonson	Individual	Support	No

Comments:

GM-549

Submitted on: 5/12/2020 7:03:21 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Lopez	Individual	Support	No

Comments:

Dear Chair Gabbard and Members of the Senate Committee on Agriculture and Environment,

I write in strong support for the confirmation of Kathy Ho for the position of Director, Office of Environmental Quality Control. I have known Kathy for 25 years. And, I have had the honor to be her friend and her colleague when I was the Special Assistant to Attorney General David Louie. I use the term honor seriously. People who are smart, honest, committed to their work, loyal to their family and friends, generous, and kind regardless of the circumstances are rare. Kathy demonstrates these qualities everyday.

I am confident that many have already testified about Kathy's commitment to the environment and her demonstrated expertise during the course of her career.

I write because I believe that in today's world where the truthfulness and the motives of public servants are regularly questioned in our local and national news, it is crucial that someone with integrity, no hidden agendas, and belief in transparency be chosen for this important position. Balancing our state's limited resources while guiding necessary development has profound implications. We must be able to have faith that the Director of OEQC is someone the public can trust to speak knowledgeably and truthfully to those planning and making decisions that impact our resources, environment, and quality of life.

Kathy Ho is that person. Thank you for the opportunity to testify in support of Kathy's confirmation.

GM-549

Submitted on: 5/12/2020 8:32:27 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Eisen	Individual	Support	No

Comments:

In my individual capacity as a staff member of the Office of Environmental Quality Control, I look forward with great anticipation to regaining an engaged Director of our Office. We have been performing in a very limited manner without an active Director for over 6 months or a Planner V for over a year; these 2 unfilled positions amount to 40% of our entire staff. I have high hopes that Kathleen Ho has the experience and enthusiasm to lead OEQC during these times of great transition, and strongly support her confirmation as Director.

Testimony In Support of
Kathleen S.Y. Ho
As
Director
Of the
Office of Environmental Quality Control
GM 549

Committee on Agriculture and Environment, Wednesday, May 13, 2020, 1:00 pm
Conference Room 016

Submitted by
Diane K. Taira
(Written Testimony Only)

Chair Gabbard and Members of the Committee,

I support Governor David Y. Ige's nomination of Kathleen S.Y. Ho as the Director of the Office of Environmental Quality Control.

I have known Ms. Ho as a Deputy Attorney General representing various Department of Health (DOH) environmental programs for many years. In the past year and a half, I have worked closely with Ms. Ho as her Supervising Attorney at the Department of the Attorney General. In this regard, I know Ms. Ho to be very knowledgeable and experienced in the area of environmental law, and as an astute and conscientious attorney. She is a consensus builder and has been able to resolve many situations early, avoiding unnecessary escalation. She is fair, but firm, committed and enthusiastic about protecting our environment.

Ms. Ho demonstrated a keen interest in protecting the environment early on. After her Bachelor of Science Degree in Biology from the University of San Francisco and her law degree from the University of California Hastings College of Law, Ms. Ho obtained her Masters of Laws degree in Environmental Law from Lewis and Clark Law School.

Since law school, Ms. Ho's over 36 year legal career has always included environmental law as a part of her repertoire, in both the private sector and in government—at both the county and state levels, involving a variety of environmental issues. Of particular significance, Ms. Ho has in the past, represented, advised and counseled the Office of Environmental Quality Control and the Environmental Council. So, she is uniquely primed

to hit the ground running when it comes to directing the OEQC, working with the Environmental Council, and in working with DOH.

On a personal level, I know Kathy as a personable, caring and trustworthy individual. I have no doubt that the OEQC staff and the Environmental Council will enjoy working with her as the Director of the OEQC.

Without reservation, I submit that Ms. Ho is eminently qualified to be the Director of the OEQC. It is my hope that the Committee will find the same, recommending the Senate's advice and consent.

Thank you for this opportunity to provide testimony in support of Ms. Kathleen S.Y. Ho.

Ian L. Sandison
3061 Pacific Heights Road
Honolulu, Hawaii 96813

May 12, 2020

Hawaii State Senate
Committee on Agriculture and Environment
415 South Beretania Street, Room 201
Honolulu, Hawaii 96813

Re: GM 549 Submitting for consideration and confirmation as Director of the Office of Environmental Quality Control, Kathleen S.Y. Ho, for a term set to expire on June 30, 2023.

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Committee,

I write in **strong support** of Kathleen S.Y. Ho's confirmation as Director of the Office of Environmental Quality Control ("OEQC").

It has been my great pleasure to work closely with Ms. Ho on a variety of environmental matters for the past two and one-half decades. Those matters include promulgation of the original OEQC administrative rules, numerous Department of Health enforcement proceedings and litigation, development of the Voluntary Response Program amendments to HRS 128D, and complex environmental remediation projects (e.g., the Aiea Sugar Mill), among others. In all of those matters, I have served as opposing counsel to Ms. Ho.

Throughout these many matters, Ms. Ho consistently demonstrated the skills, temperament and knowledge that will make her an excellent Director of the Office of Environmental Quality Control. She is always prepared, and a strong advocate for her client. At the same time, her approach to the issues demonstrated her concerns for all sides, patience, compassion, open mindedness and overall desire to reach an outcome that served the greater good.

In my experience as a past member of the Environmental Counsel and a lawyer involved with several 343 Environmental Assessments and Environmental Impact Statements, the Office of Environmental Quality Control is busy hard-working place. It needs a director who can work hard, write well, communicate easily with staff and the public, and efficiently move through a lot of complex documents. Ms. Ho fits the bill. We will all be proud to have her as OEQC Director.

Very truly yours,

/s/ Ian L. Sandison

Ian L. Sandison

GM-549

Submitted on: 5/12/2020 9:54:23 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rosemary Liu	Individual	Support	No

Comments:

I strongly support the appointment of Kathleen Ho as Director of the Office of Environmental Quality Control. I initially worked with Kathy as her paralegal when she was a Deputy Corporation Counsel for the City & County of Honolulu (“City”). Years later, I interacted with Kathy in her role as Deputy Attorney General representing the State Department of Health on a complex matter involving the City’s wastewater program. As such, I have seen first-hand Kathy’s ability to work collaboratively with a variety of stakeholders, including federal, state, and city governments as well as citizen organizations, all of whom had different perspectives on how to best protect the environment. Kathy’s environmental knowledge is complemented by her demonstrated dedication to public service and unwavering commitment to improving the environment for our local community.

Kathy is highly qualified and will serve Hawaii well in leading and managing the OEQC and continuing her public service in protecting the environment.

Thank you for your consideration.

Rosemary Liu

TESTIMONY

**Senate Committee on Agriculture and Environment
Wednesday, May 13, 2020
1:00 p.m.
State Capitol, Conference Room 016**

**GM 549, Consideration and Confirmation of
KATHLEEN S.Y. HO
As Director of the Office of Environmental Quality Control**

Chair Gabbard, Vice Chair Ruderman, and Committee Members:

I have worked as a Deputy Attorney General for the past 24 years, and have been a Supervising Deputy Attorney General for the last year. I am writing to express my strong support to confirm Kathleen S. Y. Ho as the Director of the Office of Environmental Quality Control.

I have known Kathy for over 25 years. She is intelligent, works hard, and takes pride in her work, all qualities of a great public servant. She is knowledgeable about the program and has worked on matters in this area since its inception. The Office of Environmental Quality Control would be fortunate to have Kathy as its Director.

I respectfully urge you to confirm Kathleen S.Y. Ho as the Director of the Office of Environmental Quality Control.

Thank you for the opportunity to testify on GM 549 and for considering my testimony.

GM-549

Submitted on: 5/12/2020 11:04:32 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan	Individual	Support	No

Comments:

I wish to express my strong support for Ms. Kathleen Ho's nomination. She is an intelligent woman of both warmth and class. She works hard, listens to people, and is unafraid of hard decisions. With her background and experience, she will be an excellent leader of the Office of Environmental Quality. Please confirm her nomination.

Written Testimony of Jill T. Nagamine

On GM 549, Confirmation of Kathleen S. Y. Ho, as the Director of the Office of Environmental Quality Control

Before the Senate Committee on Agriculture and Environment

Date: Wednesday, May 13, 2020

Time: 1:00 p.m.

Place: Conference Room 016, State Capitol

Chair Gabbard and Members of the Committee:

I am testifying in my individual capacity in strong support of the confirmation of Kathleen S. Y. Ho, as the Director of the Office of Environmental Quality Control.

I have worked with Kathy in the Health Division of the Department of the Attorney General for nearly 17 years, and have gotten to know her professionally and personally. Of all the attorneys I have worked with in over 35 years of practice, Kathy ranks among the top in terms of her integrity, legal knowledge, ability, professional experience, and diligence. Working with the environment and protecting the Earth is more than a job for Kathy; it is her way of life. She celebrates Earth Day, she recycles, she drives a Prius, and she uses environmentally-friendly products. Hardly a day goes by that Kathy isn't able to work into the conversation how much she loves her job.

In addition to her professional talents and her Earth-friendly beliefs, Kathy has an engaging, upbeat personality and an infectious laugh that make her fun to work with and to be around. I am sure she would bring that same level of enthusiasm and camaraderie to the Office of Environmental Quality Control.

Kathy's skills, experience, knowledge, and practices make her a highly qualified candidate for the position of Director of the Office of Environmental Quality Control. I highly recommend Kathy for this position.

Thank you for considering my comments.

GM-549

Submitted on: 5/12/2020 1:09:45 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherrie Sato	Individual	Support	No

Comments:

Aloha,

KathyHo is someone I have respected, trusted, and counted on for 30 years. Through times of joy and sorrow and every part of life in between, Kathy has always been there for myself and a of myriad others. I am so proud for Kathy and what she has accomplished to make a difference in this world. Not often is an appointment as perfect a match as the one before.

I strongly urge you to confirm Kathy Ho.

Thank you for the opportunity to testify on her behalf. Sherrie Sato

Lori H. Wada, Esq.
1109 Lunahelu Place
Kailua, Hawaii 96734

Re: GM 549 Confirmation hearing regarding Kathleen S.Y. Ho for Director of the Office of Quality Control

Dear Chair Gabbard, Vice Chair Ruderman and Members of the Committee:

I am writing in **strong support** on behalf of Kathleen S.Y. Ho for the position of Director of the Office of Quality Control.

I have known and worked with Ms. Ho since the fall of 1989 until the present. I first met Ms. Ho while she was an established and respected attorney at the law firm of Lee Henderson and Wong. Ms. Ho is presently employed at the Department of the Attorney General for the State of Hawaii in the Health Division. As a Deputy Attorney General, she has been primarily assigned to the Environmental Health Team for over 25 years. Ms. Ho's vast experience in advising clients for the Department of Health for such a long period of time illustrates her great knowledge and experience in tackling environmental law issues. Ms. Ho also possesses sharp skills in her ability to work well with clients that often result in relationships built on trust, honesty, dedication, and loyalty.

These amazing character traits are also part of the person that is Kathleen Ho. She displays these core values in her role as a single mother to 2 beautiful daughters that are successfully completing their education in high school and college. Ms. Ho's daughters are strong, intelligent, and compassionate women, just like her. Ms. Ho's guiding light regarding the girls is her deep love for them. In both roles as a Deputy Attorney General and a mother, Ms. Ho is team-oriented in getting tasks completed, human-centered when tackling improvements with a focus on the client's or her child's perspective and carries out decisions that are fair.

Ms. Ho has maintained the highest level of professional decorum and courtesy and continues to be a selfless and dedicated worker in the best interests of the State. I have no doubt that upon confirmation for the position of Director of the Office of Environmental Quality Control, there will be great changes for future successes for the State of Hawaii. I strongly support, fully endorse and without reservation, submit my recommendation of Ms. Kathleen S.Y. Ho for the position of Director of the Office of Environmental Quality Control and humbly request that she be confirmed by the Committee.

Thank you for the opportunity to provide testimony in this matter.

GM-549

Submitted on: 5/12/2020 8:57:34 PM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:

Aloha Chair Gabbard, Vice Chair Ruderman, and Members of the Committee of Agriculture and Environment

I began my education and career in conservation, and deeply respect the expertise and giving nature of Ms. Kathleen Ho, J.D., being considered as Director of the Office of Environmental Quality Control, Governor's Message 549.

I have worked in the area of land use for some years, environmental science, and conservation. Ms. Ho coordinated the efforts of the Environmental Health Administration, Department of Health, when I was an Environmental Health Specialist IV. I am familiar with the work of the OEQC, having friends who both worked there previously, and work there now, and a former boss who is on staff. As a private-sector planner, my work has been published in The Environmental Notice. With that, I know that Ms. Ho is practiced and capable in the areas of environmental law and public administration, essential needs for such a position. Humbly, I hope that the Committee will please vote in support of GM549 because Ms. Ho will be instrumental in guiding the state towards wiser environmental quality; mahalo.

Sincerely yours,
Dylan P. Armstrong
indiv. capacity.

GM-549

Submitted on: 5/13/2020 8:31:18 AM

Testimony for AEN on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Armitage	Individual	Support	No

Comments:

Aloha,

I am writing in strong support of Kathleen Ho for OEQC Administrator. I've worked with Kathy for nearly 14 years. I can think of nothing negative to say about her. She's bright, knowledgeable about the subject matter, great to work with, professional and down to earth. She is solidly qualified for this position. My hesitation in recommending her for this position, is that my office will lose her knowledge base, her warmth, and sense of humor.

David Z. Arakawa
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May 13, 2020

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair
and Members of
The Senate Committee on Agriculture and Environment

Strong support of GM 549 – Submitting for consideration and confirmation as the Comptroller of the Director of the Office of Environmental Quality control, Gubernatorial Nominee Kathleen S.Y. HO, for a term to expire June 30, 2023.

AEN Hearing: Wednesday, May 13, 2020, at :00 p.m., in Conf. Rm. 016

This letter is submitted in **strong support GM 549 and the nomination of Ms. Kathleen S.Y. Ho**, for the position of Director of the Office of Environmental Quality Control (OEQC).

I have known Ms. Ho professionally and personally since 1983, and since 1992, have worked with her in her capacity as a Deputy Attorney General on issues relating to environmental law. We have not always been on the same side of issues, however, Ms. Ho is very knowledgeable regarding environmental issues and laws, is always prepared, willing to listen to and take input from all stakeholders, and to the extent possible, work toward collaborative solutions and outcomes in the best interests of the State.

She has prior work experience with OEQC, having been their legal advisor from 1993-2006, and has had the benefit of a broad legal career, working for the judiciary as a law clerk, in private litigation practice, as a Deputy Corporation Counsel and as an Adjunct Professor at the William S. Richardson School of Law. I have had interacted with Ms. Ho in all these positions and believe that her experience and ability to work in such diverse areas of the law and legal organizations will surely benefit the OEQC going forward.

For the above reasons, I **strongly support** and respectfully urge your favorable consideration of **Gubernatorial Nominee Kathleen S.Y. Ho**; finding her to be qualified for Director of OEQC, the position to which she has been nominated, , and **respectfully requests that your Committee recommend that the Hawaii State Senate advise and consent to her nomination.**

Thank you for the opportunity to present testimony regarding Ms. Ho's nomination.

David Z. Arakawa

Written Statement

Kathleen Ho

GM549

I have a long and demonstrated commitment to protecting Hawai'i's environment for present and future generations. The OEQC plays a vital role in that mission because it is responsible for the implementation of the Hawai'i Environmental Policy Act (HEPA), one of the bedrock environmental laws in Hawai'i critical to protecting our air, water, health, public lands, wildlife, and culture. HEPA affects virtually every significant decision by the State that affects the environment. By giving the public and all other stakeholders a voice in such decisions, HEPA ensures that these critically important decisions will be well-informed. HEPA requires state agencies to assess the environmental impacts of certain major projects before issuing a permit, allowing them to go forward. The HEPA statute, as well as the OEQC rules and guidance that implement the statute, create a transparent process of environmental review that helps agencies and other decision makers determine whether proposed projects comply with the State's environmental policies and long-term environmental goals established by law.

I believe that advancing and protecting this transparent process of environmental review to ensure informed decision making is the essence of the OEQC Director's role and responsibilities. It requires collaborative leadership and the ability and commitment to work with diverse stakeholders, including the public, government agencies, the Environmental Council, and various private companies and organizations. As a deputy attorney general, I have had the honor of representing the people of Hawai'i in protecting our environment for more than 20 years. I have a breadth and depth of understanding of the issues, applicable statutes, regulations, and rules and process involved in effective environmental protection, which I believe qualifies me to serve as the OEQC Director. This experience—including prosecuting multi-party cases and successfully settling many cases—would inform my decision-making ability as Director as well as my ability to help the all navigate the environmental review process.

If confirmed, I intend to continue the OEQC's focus to make the environmental review process more effective and efficient. This focus will be even more critical, given the predicted severe economic downturn caused by the pandemic, which will sometimes appear to conflict with the need to protect our greatest resource—the environment. Because the HEPA administrative rules were recently amended for the first time since they were adopted in 1996, I would also want OEQC to update its citizen's handbook and guidance documents, as well as to provide training to various agencies about the changes to the rules to maximize their implementation and effect. I am also committed to ensuring that the OEQC is well-prepared to serve the public while working remotely so that our public service is not unduly disrupted by pandemics or other crises.

I have three qualities that make me stand out as a candidate to lead the OEQC. The first is my integrity. I have a strong sense of ethics and am deeply committed to doing the right thing for the right reasons regardless of the circumstances. The second is my leadership style. I am a collaborative leader who, while encouraging full consideration of diverse opinions, is ultimately committed to building consensus and developing the teamwork that is critical for an organization's success. The third is my demonstrated and long-standing commitment to and passion for representing the interests of the people of Hawai'i.

I am a unique candidate for this position because I advised and assisted OEQC in drafting the original HEPA administrative rules that were adopted in 1996. Because of this experience, I have the benefit of insight and understanding about the office's historical and present role in environmental protection and, importantly, the possibilities for its role in the future.

I do not foresee any possible conflicts of interest arising if I am confirmed. If one occurred, I would recuse myself from any decision making related to the issue under consideration.

I am available to answer any other questions you may have or to provide any additional information, and welcome the opportunity to do so.