

NOTICE TO REQUESTER

TO: R. Brian Black, Civil Beat Law Center for the Public Interest, sent via email to:
request+nuruyghww3@foi.uipa.org

FROM: Scott Rollins, CE-VI, Dept. of Environmental Management, County of Maui
(808) 270-7417

DATE REQUEST RECEIVED: January 10, 2018

DATE OF THIS NOTICE: February 8, 2018

GOVERNMENT RECORDS YOU REQUESTED (attach copy of request or provide brief description below):

1. SEE ATTACHED
- 2.
- 3.
- 4.

NOTICE IS PROVIDED TO YOU THAT YOUR REQUEST:

Will be granted in its entirety.

Cannot be granted in its entirety because:

Agency does not maintain the records. (HRS § 92F-3) **The Department of Environmental Management has no responsive records for the time period requested.**

Agency that is believed to maintain records: _____

Agency needs a further description or clarification of the records requested. Please contact the agency and provide the following information: _____

Request requires agency to create a summary or compilation from records not readily retrievable. (HRS § 92F-11(c))

Is denied in its entirety

Will be granted only as to certain parts

based upon the following exemption provided in HRS § 92F-13 and/or § 92F-22 and other laws cited below.
(Portions of records that agency will not disclose should be described.)

RECORDS OR
INFORMATION WITHHELD

APPLICABLE
STATUTES

AGENCY
JUSTIFICATION

REQUESTER'S RESPONSIBILITIES:

You are required to (1) pay any lawful fees assessed; (2) make any necessary arrangements with the agency to inspect, copy or receive copies as instructed below; and (3) provide the agency any additional information requested. If you do not comply with the requirements set forth in this notice within 20 business days after the postmark date of this notice or the date the agency makes the records available, you will be presumed to have abandoned your request and the agency shall have no further duty to process your request. Once the agency begins to process your request, you may be liable for any fees incurred. If you wish to cancel or modify your request, you must advise the agency upon receipt of this notice.

METHOD & TIMING OF DISCLOSURE:

Records available for public access in their entireties must be disclosed within a reasonable time, not to exceed 10 business days, or after receipt of any prepayment required. Records not available in their entireties must be disclosed within 5 business days after this notice or after receipt of any prepayment required. If incremental disclosure is

Please note that the Office of Information Practices (OIP) does not maintain the records of other agencies and a requester must seek records directly from the agency. If the agency denies or fails to respond to your written request for records or if you have other questions regarding compliance with the UIPA, then you may contact OIP at 808-586-1400, qip@hawaii.gov, or 250 South Hotel Street, Suite 107, Honolulu, Hawaii 96813.

REQUESTER'S RESPONSIBILITIES

You have certain responsibilities under section 2-71-16, Hawaii Administrative Rules, which include making arrangements to inspect and copy records, providing further clarification or description of the requested record as instructed by the agency's notice, and making a prepayment of fees and costs, if assessed. The rules and additional training materials are available online at qip.hawaii.gov or from OIP.

A copy of the government record: (Please check only one of the options below.) See the next page for information about fees and costs that you may be required to pay for agency services to process your record request. Note: Copying and transmission charges may also apply to certain options.

- Pick up at agency (**date and time**): _____
- Mail (address): _____
- E-mail (address): request+nuruyghww3@foi.uipa.org
- Fax (toll free and only if available; provide fax number): _____
- Other, if available (please specify): _____

If the agency maintains the records in a form other than paper, please advise in which **format you would prefer to have the record**.

Electronic Audio Other (please specify): _____

Check this box if you are attaching a request for waiver of fees in the public interest
(See waiver information on next page).

FEES FOR PROCESSING PUBLIC RECORD REQUESTS

You may be charged fees for the services that the agency must perform when processing your request for public records, including fees for making photocopies and other lawful fees. **The first \$30 of fees charged for searching for a record, reviewing, and segregating will not be charged to you. Any amount over \$30 will be charged to you.** Fees are as follows:

Search for a Record	\$2.50 for 15 minutes
Review and Segregation of a Record	\$5.00 for 15 minutes

Generally, no search, review, and segregation fees may be charged if you are making a request for personal records that are about you.

WAIVER OF FEES IN THE PUBLIC INTEREST

As an alternative to the \$30 fee waiver (not in addition to), the agency may waive the first \$60 of fees for searching for, reviewing and segregating records when the waiver would serve the public interest. If you wish to apply for a waiver of fees in the public interest, you must attach to this request a statement of facts, including your identity as the requester, to show how the waiver of fees would serve the public interest. The criteria for this waiver, found at section 2-71-32, Hawaii Administrative Rules, are

- (1) The requested record pertains to the operations or activities of an agency;
- (2) The record is not readily available in the public domain; and
- (3) The requester has the primary intention and the actual ability to widely disseminate information from the government record to the public at large.

COSTS

The Agency may charge you any other lawful fees and the costs to copy and deliver your personal or public record request.

AGENCY RESPONSE TO YOUR REQUEST FOR ACCESS

The agency to which you addressed your request must respond within a set time period. The agency will normally respond to you within 10 business days from the date it receives your request; however, in **extenuating circumstances**, the agency must respond within 20 business days from the date of your request. If you have questions about the response time or the records being sought, you should first contact the agency and request to consult with the agency's UIPA contact person.

From: "R. Brian Black" <request+nuruyghww3@foi.uipa.org>
To: <environmental.mgmt@mauicounty.gov>
Date: 1/10/2018 2:32 PM
Subject: Records Request for Maui Department of Environmental Management: UIPA Log [#86]
Attachments: form1_records_request.pdf

Aloha,

Pursuant to the public records law, I would like to request the following records in electronic format sent to my email address.

The UIPA Record Request Log(s) used by the Department of Environmental Management to track record requests received from July 1, 2016 to June 30, 2017. I am seeking the underlying data spreadsheet(s), not the summaries uploaded to the UIPA Master Log on data.hawaii.gov.

I would like the record provided in its original Excel format.

It is not my intent that this request require effort that would necessitate fees. If this request is expected to require significant effort, please contact me because there may be a miscommunication.

Mahalo,

R. Brian Black
Civil Beat Law Center for the Public Interest