



STATE ENVIRONMENTAL COUNCIL

DEPARTMENT OF HEALTH, STATE OF HAWAII
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Joseph Shacat

Vice Chair
Scott Glenn
(Ex Officio)

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Mary Begier
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Theresita Kinnaman
Robert Parsons
Charles Prentiss
Ron Terry
Puananionaona
Thoene
Michael Tulang
N. Mahina Tuteur

State of Hawaii Environmental Council
Tuesday, July 27, 2017, 10:00 AM - 3:00 PM

Leiopapa A Kamehameha Bldg.
Room 1500, 235 S. Beretania St, Honolulu, Hawaii 96813

Minutes

Members Present:

Roy Abe, Scott Glenn, Barbara Ka'auomoana, I. Robin Kaye, Theresita Kinnaman, Robert Parsons, Joseph Shacat, Puananionaona Thoene, Michael Tulang, Mahina Tuteur

Members Absent:

Mary Begier, Stephanie Dunbar-Co, P. Ka'anohi Kaleikini, Charles Prentiss, Ronald Terry

OEQC Staff:

Leslie Segundo

Public:

Denise Antolini (UH Richardson Law School),
Wimmie Wong Lui (DOH/OPPPD),
Member of the public (signature illegible)

1. Call to order, roll call and quorum, introductions
 - i. Meeting called to order at 10:36 am, quorum met with 10 members present
2. Review and approval of prior meeting minutes
 - a. Meeting held on May 9, 2017
 - i. Motion by Member Tulang, seconded by Member Begier, minutes approved with minor amendments, Member Kaye abstained.
 - b. Meeting held on June 13, 2017
 - i. Motion by Member Parsons, seconded by Member Tulang, minutes approved with minor amendments, Member Thoene abstained.
 - c. Meeting held on July 11, 2017
 - i. Minutes of July 11 were not available and deferred until the July 27, meeting.
3. Review of the current language of Hawai'i Administrative Rules (HAR) Chapter 11-200, Environmental Impact Statement (EIS) Rules.
 - a. Orientation to the relationship between Hawai'i Revised Statutes (HRS) Chapter 343, Environmental Impact Statements and HAR Chapter 11-200.
 - i. Member Glenn presented a brief overview of HRS Chapters 341, 343, and 344. Chapter 341 creates the Office of Environmental Quality Control (OEQC), UH Environmental Center, and the Environmental Council. Chapter 344 sets forth the state environmental policy. Chapter 343 establishes the environmental review process.
 - b. Orientation to the structure of HAR Chapter 11-200.
 - i. Member Glenn highlighted passages of the statutes and how they are implemented in the administrative rules. Discussion focused on the OEQC publication requirements, "triggers" for entering environmental review, exemptions, significance criteria, and the EIS process and acceptability criteria.

4. Review and decision making on the report from the Permitted Interaction Group (PIG) established on February 23, 2016 relating to revisions to HAR Chapter 11-200 – Suggested revisions to HAR Chapter 11-200 addressing comments received on the previous 2012 working draft language.
 - a. The PIG presented the Report of the Environmental Council Permitted Interaction Group to the Council for its review.
 - i. The original report was prepared in response to public concerns in 2011. The previous Council initiated consultation with State and County agencies. In 2012, a preliminary draft was released, referred to as Version 1. To receive feedback on the draft, the Council distributed a comment matrix. Due to various administrative challenges such as quorum and budget, the previous Council was unable to complete this process.
 - ii. In February 2016, with a full appointment of members to the Council by Governor Ige, the current Council resumed the revision process. The Permitted Interaction Group (PIG) was established to investigate and consider specific language for proposed rules to be presented and approved the Council.
 - iii. The scope of this PIG report of draft language includes revisions in the 2012 draft, feedback on the 2012 draft, and issues raised by the Council during the PIG's work over the past year.
 - iv. The Council agreed to name this version 0.1. The naming convention is based on the actual draft rules that will be released for formal public hearing will be named version 1. Calling these preliminary drafts 0.1, 0.2, etc., emphasizes that these are working drafts to help distinguish from the formal draft.
 - iv. Members agreed to review the report, prepare comments, feedback and proposed revisions, and to agendaize decision making on the report for the next council meeting.

The Council will break for lunch from 12:30 pm and resume the agenda at 1:30 pm.

- a. The Council called for recess at 12:30 pm. Meeting called back in to order at 1:34 pm.

5. Adjournment

- a. Meeting adjourned at 2:51 pm.