



STATE ENVIRONMENTAL COUNCIL

DEPARTMENT OF HEALTH, STATE OF HAWAII
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State of Hawai'i Environmental Council
Tuesday, December 18, 2018, 1:00 PM – 4:00 PM
Capitol #1 Building
Room 410, Executive Office of Aging
250 South Hotel Street, Honolulu, Hawai'i 96813

1. Call to order, roll call and quorum, introductions
2. Review and approval of prior meeting minutes
 - a. Amend the meeting minutes for November 13, 2018, which were approved on November 27, 2018 to correct for errors in the minutes.
http://oeqc2.doh.hawaii.gov/EC_Meetings/2018-11-13-Environmental-Council-Minutes.pdf
 - b. Approve the meeting minutes for the November 27, 2018 meeting.
http://oeqc2.doh.hawaii.gov/EC_Meetings/2018-11-27-EC-Minutes_draft_for-review_2018-12-18.pdf
3. Approve the motion to adopt the Environmental Council Response to Comments, as may be amended at the meeting, as the official record of responses to comments received during the public comment period for public hearings on the Draft Proposed Rules (i.e., Version 1.0).
 - a. Discussion will be based upon the prepared document available at:
 - i. Written and Oral Comments on Draft Version 1.0 received during public hearings
<http://oeqc2.doh.hawaii.gov/Laws/v1.0-Proposed-HAR-11-200.1-All-Comments-2018-10-02.pdf>
 - ii. Environmental Council Responses to Comments
<http://oeqc2.doh.hawaii.gov/Laws/v1.1-EC-Responses-to-Public-Comments-on-v1.0.pdf>
4. Approve the motion requesting the Governor to:
 - (1) Repeal Chapter 11-200, Hawai'i Administrative Rules (HAR), entitled "Environmental Impact Statement Rules" and
 - (2) Promulgate Chapter 11-200.1, HAR, entitled "Environmental Impact Statement Rules", as may be amended at the meeting.

Discussion will be based on the following:

- a. Version 1.1 Proposed HAR 11-200.1 Rules Standard Format
http://oeqc2.doh.hawaii.gov/Laws/v1.1-Proposed-HAR-11-200.1-Rules-Standard_Draft-Final.pdf
- b. Version 1.1 Proposed HAR 11-200.1 Rules Ramseyer Format
http://oeqc2.doh.hawaii.gov/Laws/v1.1-Proposed-HAR-11-200.1-Rules-Ramseyer_Draft-Final.pdf
- c. Version 1.1 Proposed HAR 11-200.1 Rules Rationale, including Appendices 1 and 2 showing changes from the 1996 Rules to the Draft Proposed Rules to the Final Proposed Rules http://oeqc2.doh.hawaii.gov/Laws/v1.1-Proposed-HAR-11-200.1-Rules-Rationale_Draft-Final.pdf

- d. Written and Oral Comments on Draft Version 1.0 received during public hearings (see above link)
 - e. Environmental Council Responses to Written and Oral Comments (see above link, should the motion above be adopted)
 - f. All documents for discussion are available on the Office of Environmental Quality Control (OEQC) website at: <http://health.hawaii.gov/oeqc/rules-update/>
5. Approve the motion authorizing the OEQC Director to act on the Council's behalf regarding obtaining recommendations and administrative approvals to bring the Final Proposed Rules to the Governor. Anticipated recommendations and administrative matters include:
- a. Legislative Reference Bureau approval as to form for repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR, including non-substantive revisions to the proposal;
 - b. Attorney General approval as to form for repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR, including non-substantive revisions to the proposal;
 - c. Preparation and submittal of the Small Business Impact Statement to the Small Business Regulatory Review Board;
 - d. Presentation to the Small Business Regulatory Review Board of repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR;
 - e. Revisions to the unofficial Ramseyer version of Chapter 11-200.1, HAR to reflect the official version of Chapter 11-200.1, HAR; and
 - f. Other administrative tasks as may be necessary.
6. Adjournment

Note: Public comments will be accepted on each agenda item prior to voting or completion of the agenda item.

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, computer-assisted note taking, wheel chair accessibility, or parking designated for the disabled) at the meeting, please contact the OEQC at least 72 hours prior to the meeting at 808-586-4185 so that arrangements can be made.

Note: The Council may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a), Hawai'i Revised Statutes ("HRS"), without noticing the executive session on the agenda where the executive session was not anticipated in advance. The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. The reason for holding the executive session shall be publicly announced and the vote of each member on the question of holding a meeting closed to the public shall be recorded and entered into the minutes of the meeting. HRS Sections 92-4, 92-5(a) and 92-7(a).