

REPORT TO THE LEGISLATURE
PURSUANT TO HOUSE RESOLUTION 82,
REGULAR SESSION OF 2022

By the Office of Planning and Sustainable Development
Department of Business, Economic Development and Tourism
State of Hawaii
April 13, 2023

EXECUTIVE SUMMARY

A task force convened by House Resolution 82 (2022 Regular Session) examined possible upgrades to the website of the Environmental Review Program of the Office of Planning and Sustainable Development. These upgrade include: (1) having dead-links point to an instruction page for users on how to find documents at files.hawaii.gov; (2) developing a GIS Map with clickable links for Chapter 343, HRS, actions; (3) addition of direct email links for users to submit comments on Chapter 343, HRS actions; (4) robust filtering of files in the server; and (5) examining easier ways to subscribe to the periodic bulletin of Chapter 343, HRS. Cost estimates were provided by the two software consultants for the updates. The total cost estimate for all five of the updates is \$95,000.

HR 82 TASK FORCE REPORT

House Resolution 82 (HR 82; https://www.capitol.hawaii.gov/session2022/bills/HR82_.HTM) was passed by the House of Representatives in the 2022 Regular Session of the Legislature. HR 82 requests that Office of Planning and Sustainable Development (OPSD) convene a task force consisting of two OPSD staff, two Environmental Advisory Council members, the Chief Information Officer of Enterprise Technology Services (ETS) (or designee), and a member of the Sierra Club.

HR 82 further requests that OPSD submit a report on the task force's findings and recommendations including proposed legislation and the estimated cost of proposed website updates no later than twenty days prior to the 2023 legislative session (December 29, 2022).

Invitations were sent to a Senator Gabbard and Representative Lowen, the Environmental Advisory Council, the Chief Information Officer of Enterprise Technology Services, and the Sierra Club. Meetings were held on August 24, 2022, September 28, 2022, and October 26, 2022, all at 10:00 AM.

The HR 82 Task Force consisted of: Wayne Tanaka, Sierra Club of Hawaii; Puananionaona Thoene, Dawn Hegger-Nordblom, Ronald Terry of the Environmental Advisory Council; Mary Alice Evans, Thomas Eisen, Jennifer Ching, and Leslie Segundo.

August 24, 2022

On August 24, 2022, the task force met and discussed how the public is notified of actions under Chapter 343, Hawaii Revised Statutes. The statutory vehicle for notification is the periodic bulletin (also known as the Environmental Notice or TEN; see <https://planning.hawaii.gov/erp/environmental-notice/>) published under the authority of Section 343-3, Hawaii Revised Statutes.

The periodic bulletin is published twice a month electronically as an Adobe Acrobat PDF file with links to PDF documents uploaded to the server: files.hawaii.gov. Interested persons can subscribe to receive the periodic bulletin by email on the eighth and the twenty-third days of each month; all notifications coincide with publication of the periodic bulletin.

The task force also discussed comment submittal noting that there is a list of current environmental assessments and environmental impact statements open for comment (<https://planning.hawaii.gov/erp/comments/>) on the website of the Environmental Review Program. It was noted that all comments are directly sent to the relevant agency and parties (i.e., consultant/applicant), and that hyperlinks to agency email addresses and postal addresses are provided in the periodic bulletin. It was also noted that there is a need to balance public access to submitted comments versus public access to point by point responses to comments by the applicant.

Act 152, SLH 2021, mandated the transfer of the former Office of Environmental Quality Control and the Environmental Council from the Department of Health to the Department of Business, Economic Development and Tourism's Office of Planning and Sustainable Development. The Office was renamed the Environmental Review Program and the Council was renamed as the Environmental Advisory Council. This Act consequently required the switching to a new server at files.hawaii.gov as the Department of Health terminated access to the old server. The task force discussed the database contained in the files.hawaii.gov server. They noted that while searchability has been improved in the

files.hawaii.gov database, search criteria could not be filtered as efficiently as the database kept under doh.hawaii.gov which could filter information in each column of the database.

The task force questioned whether it would be feasible to reorganize EAs and EISs online as some older documents were missing. It was noted that for missing documents, checking with the consultant, agency, or the Environmental Center (Water Resources Research Center) of the University of Hawaii could be helpful. The old DOH database used proprietary software that no longer exists.

Currently, the ERP staff uploads documents to files.hawaii.gov and ETS controls the website. A brief discussion on ETS limits to ERP maintaining the website was also discussed. The task force then discussed desirable user-friendly features to the website, such as: geographical based alerts (GIS); submittal of online comments on EAs and EISs; and links to email addresses on the Documents Open for Comments page (<https://planning.hawaii.gov/erp/comments/>).

September 28, 2022

The HR 82 taskforce met on September 28, 2022, and compiled a list of recommended user-friendly improvements below (without regard to cost).

- 1) For members of the public who use older issues of the Environmental Notice that include the now dead links under doh.hawaii.gov, it would be desirable to have these dead links point to an instruction page on how to get to the documents they are seeking from the files.hawaii.gov database.
- 2) Addition of direct email links for users to submit comments on a particular EA or EIS.
- 3) Development of a Statewide GIS Map with clickable links for Chapter 343, HRS actions – GIS. The Task Force agreed to have a meeting of Ronald Terry, Tom Eisen, Dawn Hegger-Nordblom and the OPSD GIS staff to discuss this task further.
- 4) Robust filtering for the files.hawaii.gov database.
- 5) Notification Function – Is there a quicker way for members of the public to request to subscribe to the TEN than by making an email request?

It was noted that the Hawaii State Energy Office used approximately \$125,000 to \$150,000 of federal funds to re-brand, logo, and complete re-design of their website.

October 26, 2022

The HR 82 taskforce met again on October 26, 2022, to review the materials from the previous meetings and determine next steps. Keeping in mind HR 82's request to submit the estimated cost of proposed website updates, the taskforce decided to seek advice on estimated costs.

December 2, 2022

The staff met on December 2, 2022, with a local software consultant to discuss the estimated cost of the proposed website updates as related to integrating GIS Maps with the website to show the locations where environmental assessments (and environmental impact statements) have taken place.

December 28, 2022

On December 28, 2022, another local software consultant discussed the estimated cost of the proposed website updates. The consultant discussed the updates as potentially a multi-vendor initiative that would incorporate a phased approach to developing the highest priority or easiest pieces, launching each when ready. The cost estimate would include project management, development, quality assurance, maintenance and other unanticipated fees and a small contingency budget.

Cost estimates were provided by the two software consultants for the updates. The total cost estimate for all five of the updates is \$95,000.