ENVIRONMENTAL COUNCIL MEETING MINUTES, JULY 13, 2011, FROM 1400 HOURS UNTIL 1600 HOURS AT THE KEONI ANA BUILDING VIDEOCONFERENCE CENTER 1177 ALAKEA STREET, ROOM 301, HONOLULU, HAWAI'I 96813, LIHU'E STATE OFFICE BUILDING VIDEOCONFERENCE ROOM, 3060 'EIWA STREET (BASEMENT), LIHU'E, HAWAI'I 96766, AND HILO STATE OFFICE BUILDING VIDEOCONFERENCE ROOM, 75 'AUPUNI STREET (BASEMENT), HILO, HAWAI'I 96720

Present: David Atkin; Scott Glenn; Gary Hooser (Director, Office of Environmental Quality Control); Robert Inouye (via Videoconference from Kaua'i Island); Shannon Mears; Charles Prentiss; John Richards (via Videoconference from Hawai'i Island); Mary Steiner; James Sullivan; Iris Terashima; and Marjorie Ziegler.

Absent: Malia Akutagawa (video-connection to Moloka'i Island inoperable); Alvin Char; Peter Cooper; and, Susan Matsushima.

Public: Jason Allison (Student Intern); Edward G. Bohlen, Esq.(Deputy Attorney General); George Casen; Randy Cates; Carty Chang; Alice Domingo (OEQC Staff); Liza Ferentinos; Bianca Isalei; Alton Miyasaka; Leslie Segundo (OEQC Staff); William Tam (Deputy Director, Department of Land and Natural Resources); and, Alyson Yim.

1. SWEARING IN OF NEW MEMBERS: Scott Glenn, Charles Prentiss, and Marjorie Ziegler were sworn in by Director Gary Hooser.

2. CALL TO ORDER: Chairperson Steiner called the Environmental Council to order at 1407 hours.

3. INTRODUCTIONS: Chairperson Steiner welcomed everyone. All attendees introduced themselves.

4. APPROVAL OF MEETING MINUTES FROM MAY 11, 2011: Due to a technical error, the minutes were not available for approval; the minutes are expected to be ready at the next meeting.

5. ELECTION OF CHAIR AND VICE CHAIR: With the Environmental Council fully comprised of its fifteen statutorily prescribed members, the Director of OEQC thanked (with membership assent) Mary Steiner for her good work in chairing the Environmental Council. After nominations and acclamations, Mary Steiner was re-elected Chairperson and James Sullivan was elected as Vice-Chairperson.

6. CHAIR'S REPORT:
   - Retreat follow up and next steps: Chairperson Steiner thanked Mr. Hooser and the OEQC staff for coordinating the OEQC/EC retreat on June 30, 2011.
   - Explanation of vote from May 11, 2011, meeting with DLNR exemption request: The Final vote for the DLNR exemption did not happen due to VCC time limit that closed the facility at exactly 1600 hours.
   - Housekeeping items: Chairperson Steiner requested that members update contact information (that will be kept confidential). She recommended that all Council members should check the Environmental Notice postings to be more familiar with the Chapter 343, HRS, process.

7. MEETING DATES AND TIME: In response to a member request for a regular meeting date and time, Chairperson Steiner and the members agreed to meet on the first Thursday of the month (except for the month of August, when some members are not available would be unavailable). The next meeting of the Council would be on August 18, 2011.

8. DIRECTOR'S REPORT: Director Hooser thanked all for participating in the retreat held on June 30, 2011. He noted that the OEQC staff and EC members engaged in strategic planning on a variety of issues, developing goals. Director Hooser also reported that the OEQC currently has three interns from Chaminade University, Hawaii Pacific University and the University of Hawaii. He noted that one intern is developing OEQC's Facebook and Twitter pages that will feature basic information on OEQC, the Environmental Council and Chapter 343, HRS. One intern is assisting in editing the Guidebook. He noted that the Environmental Council has a new email address: environmental.council@doh.hawaii.gov. Agendas will continue to be posted to the website, but official testimonies and requests should be directed to this email address. He noted that the OEQC is also working on other various items, such as setting up a meeting between the Chairs of Energy of Environment Committees, Senator Gabbard and Rep. Coffman, with the leadership of the Environmental Council.

9. STANDING COMMITTEE ON EXEMPTIONS
   A. Follow up action items from retreat: Mr. Atkin reported that as a follow-up from the retreat, the Committee plans to generate and exemption form for outreach to all executive branch agencies for usage of the exemption process.
   B. DLNR Exemptions request (including public testimony and vote)
   Mr. Atkin reported that the Committee had met earlier with Deputy Director Tam and his staff to discuss the DLNR's four exemption requests (see, Attachment A).

MOTION: Mr. Atkin moved, and Mr. Prentiss seconded that the Environmental Council concur with the four items identified in Attachment A. Chairperson Steiner opened discussion on the motion. Mr. Richards inquired as to the purpose of the fence, noting that the fence itself may impact the environment. Other issues were raised by members and responded to by the DLNR staff. Chairperson Steiner then asked the members of the public whether they wished to testify on this motion. There was no public testimony. Chairperson Steiner then called for the questions. The Environmental Council approved the motion (10-1-0) with one nay (Richards).

10. STANDING COMMITTEE ON RULES: Mr. Glenn reported that although the Committee did not meet, he noted that he had spoken with Deputy Attorney General Bohlen and the process for amending the administrative rules.

11. STANDING COMMITTEE ON ANNUAL REPORT: Ms. Terashima reported that the Committee has developed an outline for the upcoming annual report whose primary purpose would be to reintroduce the Council to the public. Mr. Char inquired as to how the Governor's New Day Initiatives would be accommodated into the report.

12. STANDING COMMITTEE ON LEGISLATION: Mr. Sullivan reported that the Committee plans to be pro-active on food sustainability and food security issues; he noted that the Committee plans to meet with the Department of Agriculture as well as the Department of

Defense to improve agriculture production in the State. There was a brief discussion on legislative protocol, and SB 699. Director Hooser reported that Jason Allison was the student intern assigned to the legislative committee.

MOTION: Mr. Mears moved, and Mr. Glenn seconded that the Environmental Council monitor food security and sustainability issues in the next legislative session. A brief discussion ensued. Chairperson Steiner called for the question. The Environmental Council unanimously approved the Motion (11-0-0).

13. CORRESPONDENCE RECEIVED: Chairperson Steiner reported that the Environmental Council received one piece of correspondence as an Adobe Acrobat PDF file which some members had difficulty opening. Mr. Richards requested that documents be scanned and email before the meeting to ensure that neighbor island videoconfreres would be able to fully participate in discussions. .

14. PUBLIC TESTIMONY: There was no public testimony received.

15. NEW BUSINESS: Climate change initiative. Director Hooser reported that the Office of Planning is having a Climate Change Initiative meeting on July 7, 2011; he further reported that as he is unable to attend the meeting, he entertained a motion from the Environmental Council to have Mr. Glenn attend the meeting.

MOTION: Mr. Atkin moved, and Ms. Terashima seconded that Mr. Glenn attend the Climate Change Initiative Meeting on July 7, 2011, as the representative of the Environmental Council. There was a brief discussion. Chairperson Steiner called for the question. The Environmental Council unanimously approved the motion (11-0-0).

15. ADJOURNMENT: With no further business to discuss, Chairperson Steiner adjourned the meeting at 1554 hours.

NEIL ABERCROMBIE
GOVERNOR OF HAWAI`I

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Fax (808) 586-4186
Email: environmental.council@doh.hawaii.gov

STATE OF HAWAI`I
ENVIRONMENTAL COUNCIL
235 SOUTH BERETANIA STREET, SUITE 702
HONOLULU, HAWAI`I 96813

MARY STEINER
Chairperson

Vice-Chairperson
MALIA AKUTAGAWA
DAVID ATKIN
ALVIN CHAR
PETE COOPER
SCOTT GLENN
ROBERT INOUYE
SUSAN MATSUSHIMA
SHANNON MEARS
CHARLES PRENTISS
JOHN RICHARDS
JAMES SULLIVAN
IRIS TERASHIMA
MARJORIE ZIEGLER
GARY HOOSER (EX-OFFICIO)

ENVIRONMENTAL COUNCIL MEETING
July 13, 2011, 2:00 pm – 4:00 pm

Oahu Meeting Location
Keoni Ana Building, 1177 Alakea Street, Rm. 302, Honolulu, HI

Video Conferencing Centers
Hawaii: Hilo State Office Building, 75 Aupuni Street (Basement), Hilo, HI
Molokai: University of Hawaii, Room 102, Molokai, HI

A G E N D A

1. Swearing in of New Members
2. Call to Order
3. Introductions
4. Approval of Minutes from May 11, 2011
5. Election of Chair and Vice Chair
6. Chair's Report:
   - Retreat Follow up and Next Steps
   - Explanation of Vote from May 11, 2011 Meeting with DLNR Exemption Request
   - Housekeeping Items
   - Meeting Dates and Times
7. OEQC Director's Report: Meeting with Legislators
8. Standing Committee on Exemptions:
   - Follow up Action Items from Retreat
   - DLNR Exemption Requests
9. Public Testimony on DLNR Exemptions Only
10. Vote on DLNR Exemptions
11. Standing Committee on Rules
12. Standing Committee on Annual Report
13. Standing Committee on Legislation
14. Public Testimony (Other)
15. Correspondence Received
16. New Business
17. Adjournment

Parking Permits Valid in Lots:
(Parking permits for Environmental Council Members Only)

1. Iolani Palace (Meters Only)
   South King and Richards Street
2. Department of Health (Meters Only)
   1250 Punchbowl Street, Honolulu
3. State Capitol Basement (Meters Only)
   415 South Beretania Street, Honolulu

*Note: See back of the **parking permit** for list of available parking.*

Special Accommodations (such as Sign Language interpreter, large print, taped materials) can be provided, if requested at least five (5) working days before the scheduled meeting by contacting the Office of Environmental Quality Control, 235 South Beretania Street, Room 702, Honolulu, Hawaii 96813. All interested persons will have an opportunity to present testimony on any agenda item for this meeting. For more information, contact the Office of Environmental Quality Control at (808) 586-4185 (voice), (808) 586-4186 (fax), or email: oeqc@doh.hawaii.gov.

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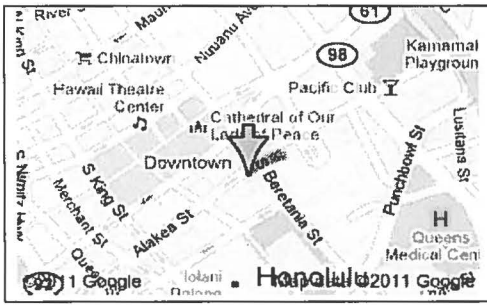
GARY HOOSER (EX-OFFICIO)

LEGISLATIVE COMMITTEE MEETING

Keoni Ana Building
1177 Alakea Street, Room 302
Honolulu, Hawaii 96813
July 13, 2011
1:00 pm – 2:00 pm

AGENDA

1. Call to Order
2. Recap Goals from the Environmental Council Retreat
3. Discuss Proposed and Potential Legislation and Necessary Research
4. Public Testimony
5. Next Meeting
6. Adjournment



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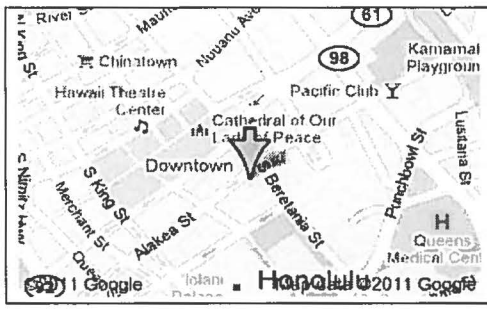
GARY HOOSER (EX-OFFICIO)

EXEMPTION COMMITTEE MEETING

State Office Tower Building
235 S. Beretania Street, Room 203
Honolulu, Hawaii 96813
July 13, 2011
10:00 am – 12:00 noon

A G E N D A

1. Introductions
2. Department of Land and Natural Resources: Department wide exemptions
3. Public Testimony
4. Retreat Discussion and Projects for Year 2011 - 2012
5. New Business
6. Next Meeting
7. Adjournment



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Department of Land and Natural Resources
Proposed Department-wide Exemptions
Exemption Sub-Committee
And
Environmental Council
July 13, 2011
(Edited version)

Exemption Class 3. Number 1

Fences [to include areas no greater than 10 acres] around or to manage [individual or small colonies of] rare, threatened or endangered plants, covered and open areas for endangered species [(waterfowl, water birds, forest birds)], game birds and mammals [(pheasants, quail, partridges, pigs, sheep, goats, deer)]; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries, hacking boxes, and for watershed and native forest management and restoration. Fences shall [will] contain step-overs or other features that permit pedestrian access for cultural and recreational use.

Exemption Class 1. New

Mitigation of any hazardous conditions that present imminent danger as determined by the Department Director and that are necessary to protect public health, safety, welfare, or public trust resources.

Exemption Class 1. New

Upon determination by the Department Director that an emergency exists, emergency mitigation and restoration work to prevent damage from continuing to occur and to restore the topographical features and biological resources.

Exemption Class 4. New

Upon determination by the Department Director that an emergency exists, emergency mitigation and restoration work to prevent further damage from occurring and to restore the topographical features and biological resources.

Department of Land and Natural Resources
Proposed Department-wide Exemptions
Exemption Sub-Committee
And
Environmental Council
July 13, 2011
(Final version)

Exemption Class 3. Number 1

Fences around or to manage rare, threatened or endangered plants, covered and open areas for endangered species, game birds and mammals; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries, hacking boxes, and for watershed and native forest management and restoration. Fences shall contain step-overs or other features that permit pedestrian access for cultural and recreational use.

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Exemption Class 4. New

Upon determination by the Department Director that an emergency exists, emergency mitigation and restoration work to prevent further damage from occurring and to restore the topographical features and biological resources

June 20, 2011

Gary Hooser, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Dear Mr. Hooser,

As a member of the Kaua'i Watershed Alliance (KWA), we would like to express our support for the Department of Land and Natural Resources proposed Environmental Assessment Exemption, Class 3, Number 1. This fencing exemption would streamline the permitting process for construction of fences to protect threatened species and ecosystems from non-native animals. The exemption would improve the ability of resource managers around the state to control non-native animals, conserve native forests, and preserve watershed health and function.

The KWA's mission is to protect, preserve, and manage the islands' valuable watershed resources to benefit the entire island of Kaua'i. We feel that this exemption will reduce the significant amount of time and money currently required to complete the permitting process for protective fencing projects. Streamlining this process will benefit not only the conservation lands, but also the natural resources of Kaua'i. This exemption will maintain the DLNR's oversight and approval authority over protective fencing plans, but will allow qualifying projects to be completed faster and at a lower overall cost.

The KWA has completed three protective fencing projects in Conservation District areas during the past five years. The process of completing the required EA documentation and acquisition of a CDUP took over a year of dedicated staff time for each of the projects. In many cases, the permitting process is far more time consuming and costly than construction of the fence itself.

We believe that this exemption is appropriate and necessary. By removing one of the major hurdles to construction of protective fences, this proposed exemption will enable managers to protect more of the state's valuable natural resources, more quickly, and at a lower cost. Thank you for your consideration.

Sincerely,

Arryl Kaneshiro

Arryl Kaneshiro
Project Specialist
Grove Farm Company, Inc.

June 20, 2011

Ben Dyre Family Limited Partnership
PO Box 40
Kilauea, HI 96754

Gary Hooser, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Dear Mr. Hooser,

As a member of the Kaua'i Watershed Alliance (KWA), I would like to express our support for the Department of Land and Natural Resources proposed Environmental Assessment Exemption, Class 3, Number 1 in favor of environmental assessment exemption for conservation fences.

As a major landowner on Kaua'i, we proudly support the work that the KWA has been able to accomplish since its existence. The fences put up in the last several years, have proven to be greatly significant in helping to protect Kauai's precious watershed. These fences control non-native animals, conserve native forests and ultimately to preserve the watershed health that affects all residents of Kaua'i.

This exemption will reduce the significant amount of time and money currently required to complete the permitting process for protective fencing projects. In many cases, the permitting process is far more time consuming and costly than construction of the fence itself. The resources/funds saved in the permitting process if this exemption were approved would help immensely in funding new projects. Not only that, the time saved could increase the productivity devoted to the project.

I believe that this exemption is appropriate and necessary. By removing one of the major hurdles and streamlining the process of constructing protective fences, this proposed exemption will enable managers to protect more of the state's valuable natural resources, more quickly, and at a lower cost.

Thank you so much for your time and consideration in this important matter.

Sincerely,

Holly Dyre
General Partner of the Ben Dyre Family Limited Partnership

The Nature Conservancy
Protecting nature. Preserving life.

The Nature Conservancy of Hawai'i
923 Nu'uanu Avenue
Honolulu, Hawai'i 96817

Tel (808) 537-4508
Fax (808) 545-2019

nature.org/hawaii

June 15, 2011

Mr. Gary Hooser
Director
Office of Environmental Quality Control
State of Hawaii
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Subject: DLNR Fencing Exemption; Exemption Class 3. Number 1

Dear Director Hooser:

The Nature Conservancy (TNC) supports the Department of Land and Natural Resource's efforts to streamline the environmental review process for conservation management projects that have a beneficial effect on the natural environment. As such, we support the department's proposed environmental assessment exemption for conservation fences.

Conservation work that is specifically designed and intended to protect or enhance the environment, land, and natural resources is often caught up in the same time consuming and expensive environmental review process as development projects. While it is appropriate that higher protection is afforded to lands with conservation value, *e.g.*, lands in the State conservation land use district, it often comes at a stroke too broad that does not distinguish between building a home in the conservation district versus engaging in work to care for native forests and control invasive species. Currently, many beneficial conservation actions have to go through the same costly and lengthy level of review for environmental impacts as development.

Environmental review under HRS Ch. 343 for TNC's conservation work has been a significant burden:

- Each Environmental Assessment (EA) takes 6-12 months to complete;
- Each EA takes ~1 FTE (part of 2-4 people's time);
- Each EA costs $50,000-$200,000;
- TNC has done 15 EAs in the last 15 years;
- Five of our nature preserves have had two EAs each;
- One nature preserve is getting its third EA for conservation work.

In addition to HRS Ch. 343 environmental review, most conservation projects like predator control fences in the State conservation land use district must also submit a Conservation District Use Application (CDUA) to the DLNR to obtain a Conservation District Use Permit (CDUP) for the project. The current Hawai'i Administrative Rules for Conservation Districts (HAR Title 13-5) require that a CDUA include an EA or an EIS (HAR §13-5-31(1)). However, the DLNR is proposing positive amendments to these rules for conservation work in the conservation district, such as not requiring a CDUP for certain invasive species control work and streamlining the review and permitting requirements for conservation fencing.

BOARD OF TRUSTEES
S. Haunani Apoliona Christopher J. Benjamin Anne S. Carter Richard A. Cooke III Peter H. Ehrman Kenton T. Eldridge
Thomas M. Gottlieb J. Douglas Ing Mark L. Johnson Dr. Kenneth Y. Kaneshiro Bert A. Kobayashi, Jr. Faye Watanabe Kurren
Eiichiro Kuwana Duncan MacNaughton Bonnie P. McCloskey Bill D. Mills Wayne K. Minami Michael T. Pfeffer James C. Polk
H. Monty Richards Chet A. Richardson Jean E. Rolles Scott C. Rolles Crystal K. Rose Dustin M. Shindo Nathan E. Smith Eric K. Yeaman

Chair: Duncan MacNaughton *Chair Emeriti:* Samuel A. Cooke (co-founder; chair 1980-1991), Herbert C. Cornuelle (co-founder),
Bill D. Mills (1991-1995), Jeffrey N. Watanabe (1995-2004), David C. Cole (2004-2008)

In addition to CDUP review by the DLNR, most conservation fences are constructed in the context of a comprehensive natural resource management effort. These fences are built by government agencies, non-profit organizations, or partnerships of public and private landowners whose primary mission is to care for native forest resources. These experienced land managers and land owners have developed comprehensive, long term management plans that include fencing, invasive species management, and native forest restoration. These plans are usually scrutinized and approved by government natural resource agencies such as the DLNR and the U.S. Fish and Wildlife Service to ensure that actions do not have unintended negative effects. And, many of the management plans have separately been the subject of a State environmental review process as part of the DLNR's Watershed Partnership, Natural Area Partnership, or Forest Stewardship programs.

For the reasons described above, we think a specific environmental assessment exemption is appropriate for projects like conservation fences that protect and enhance native species, ecosystems, and water resources and have no significant negative—but likely great positive—effects on the environment. We also note with approval the requirement in the proposed exemption that fences include step-overs or other means of access for recreational and cultural uses. These features are common in conservation fence projects and also facilitate management.

Thank you for this opportunity to provide The Nature Conservancy's comments.

Sincerely,

Mark R. Fox

Mark Fox
Director of External Affairs

OFFICE OF ENVIRONMENTAL QUALITY CONTROL
STRATEGIC PLANNING SESSION NOTES- June 30, 2011

Morning Session: Staff
Gary Hooser, Director
Alcelia Domingo, Staff
Leslie Segundo, Staff
Herman Tuiolosega, Staff
Stacey Chaussoy, Intern
Robyn Segundo, Intern

To start the discussion, Chapters 343 & 341 were reviewed & the following points were noted:

- There needs to be a balance between protecting the environment & economic development
    - Public participation is needed in striking the balance
- Chapter 341 & 343 are distinctly different
    - Chapter 341 focuses on an advocacy role
    - Chapter 343 focuses on collecting information for agencies to make a decision

Current Strengths of the Staff to Achieve the Vision
- Passionate & share the same goals
- Fresh look & new perspectives
- Ability to talk story with different communities to build bridges
- Diversity of group
- Kuka Kuka
- Recognition of respective individual strengths
- Pleasant atmosphere to work together
- Come a long way in a very short time
- There is momentum
- Don't mind asking each other for help
- Focusing on what benefits the group as a whole
- Being open to change
- Ability to laugh

Challenges for the staff to Overcome to Achieve the Vision
- Clearinghouse under Chapter 343 to look at practices at the time
    - Recovering valuable historical information
        - Review the microfilm
        - Look to other sources who might have the information (i.e. EC)
- Need a thorough review of Chapter 343 documents
- Not enough time to look & review documents.. need to be more thorough

- Not enough staff
    - Structure the time to work through issues & responsibilities
    - Create working groups
    - Everyone needs to set aside individual priorities
- Need to provide staff support for the Council
- Lack of clarity on specific responsibilities
    - Need job descriptions or point person for each responsibility
- Need to look at record keeping in a broader sense
    - Everything is on paper .... It needs to be digitalized or kept online
- Getting everyone on the same language
    - Finalizing a guidebook
    - Identify words that have different meanings in different contexts & clarify
- Need data base development

Staff Ideas to Overcome the Challenges & Achieve the Vision

- Add more interns
    - Have already added 3 new interns in 3 weeks
    - The current interns need to be trained first, then assess whether additional interns are needed
- A system is in place
    - Institutional knowledge is needed
- Integrating the files/documents and distribution
- Create a working group
- Identify who will input the data
- Digitalize files by bringing in a Council member or technology person to develop a plan
- Website development
    - Create a link to other agencies
    - Increase education & outreach by creating power point presentations on line
    - Create an easily accessible interface on the website
        - It is already easily accessible through Google
    - Create a "kids" area
    - Make the website easier to navigate
    - Review the Questions & Answers on the website & update

STAFF ACTION PLANS

Record Keeping: Alice, Les & Robyn

- Missing files
    - Crosscheck to determine what's missing
    - Get clear on the present system & what is captured now
- Establish a regular working group
- Information will be integrated into the website & modernizing information delivery
- Scan the submittal letter

- Go through all documents and cross check that all requirements are met (date; stamp; etc.)
- Review and tidy up old documents & records to ensure all requirements are complete

Document & Project Review: Herman, Les, Robyn & Stacy

- Herman will take the lead in coordinating
- Les will assist & include Robyn & Stacy
- Make copies of documents for staff before each meeting or circulate a summary in advance as a pdf via email
    - May need to initially plan for 2-hour weekly staff meetings every Monday
- Bi-weekly meetings will be coordinated to include people from the outside

Outreach & Education: Gary, Alice, Les, Herman, Robyn & Stacy

- Re-establish relationship with EC & re-engage (Stacy & Robyn will assist)
- Schedule meetings with other private & public agencies
    - Alice will coordinate the appointments with assistance from Stacy & Robyn
        - Write & send out press releases
        - Create power point presentations & other materials
        - Coordinate webinars and participation through Skype

To implement the above action steps:

- Each lead person will create an outline and action step plan for the next 6 months & for next year, 2012
    - Individual plans will be presented at a staff meeting for discussion and buy-in
    - Once everyone agrees on a plan, it will be implemented
- Each staff member will establish goals for themselves
    - At each staff meeting, each staff member will informally share what they accomplished the prior week and what goals they have set to accomplish in the current week
- An agenda identifying key issues to be discussed will be provided for each staff meeting

Afternoon Session: Council & Staff

Malia Akutagawa
David Atkin
Edward Bohlen
Alvin Char
Glenn Scott
Robert Inouye
Susan Matsushima
Shannon Mears
Charles Prentiss
Mary Steiner
James Sullivan
Iris Terashima
Marjorie Ziegler
Gary Gill
Gary Hooser
Alcelia Domingo
Leslie Segundo
Herman Tuiolosega
Jayson Allison
Stacey Chaussoy
Robyn Segundo

Current Strengths of the Council to Achieve the Vision

- Commitment
- Diverse experience
- Institutional knowledge
- Connections
- Visibility
- Knowledge
- Dedication
- Supportive Executive Branch
- Vision
- Strong leadership
- Institutional support
- Naturally collaborative
- Sense of humor
- Goal/solution oriented
- Care about the environment
- Open-minded

Challenges for the Council to Overcome to Achieve the Vision

- Sunshine laws are hard to work under & not violate
- Not enough staff
- Over-committed individuals who can't say "no"
- Council members are volunteers
- Statewide participation of neighbor islands and counties
- There hasn't been a unified vision
- Inability to respond/react fast enough; timeliness of responses
- Full-plate with a lot of statutorily mandated responsibilities
- Need to prioritize
- Lengthy process for rule-making
- Poorly defined standard procedures for exemptions
- Importance of mandate and the roles of OEQC, the Council and the EC
- Location – lumping everything together
- The resource allocation to this unit, does not reflect the mandate
- Lots of confusion
    - The role of the Dept. of Health (DOH) isn't identified
        - The perception is that OEQC is under DOH directly
        - Each Administration has identified the attachment differently
    - What does Administrative support mean?
- The valuable resources provided to OEQC aren't always being used when they should
- Meeting the needs of the public in a timely manner
- Changing the public opinion of the Council
- The relationship between OEQC, the Council & the EC are not wired together
    - Need to reinvigorate the connection with the EC
- The Executive Branch doesn't support mandates of the Council
    - Can't accomplish what needs to be accomplished
    - Creates misunderstanding in public perception
    - Need to demonstrate value back to the organization to get needed support
- Identifying "who is the customer"
- There is internal confusion regarding the role of the Council
    - Do more, do good are unrealistic expectations
    - Unrealistic perceptions that we're going to fix everything right away
    - There is a misperception of power – we don't have the power to decide
- The purpose of the law is to make sure environmental issues are considered
- Need more general education for the public
- Should have a committee on legislative policy
    - The law allows the Council to make recommendations and be more proactive
    - New laws will be initiated in January 2012 to reform 341 & 343
    - There is a potential for the Council to have power (i.e. through the annual report and/or rule making)
    - There is uncertainty and/or confusion regarding what power the Council really has

Ideas for the Council to Overcome Challenges & Achieve the Vision

- The Council has the choice to advocate for ideas
- It's time to look to the future and move forward
- Improve staffing
    - Approach the Governor or Gary Gill to request lateral transfers from the DOH
- Create a unified legislative strategy
    - Be proactive with a legislative committee
        - Identify what they want
        - Create a unified plan to present to the Legislature even if we are a "work in progress"
- Legislative Agenda
    - Review fee bill
    - Determine what it takes to process so many EIA a year with the current level of staffing
    - The Legislative & Rules Committees should work together
- Annual Report
    - Determine what we want it to be
    - Determine what is most relevant to the most people
    - Focus on a different topic each year
    - Include all topics and keep it simple
    - Chapter 344 – the State Environmental Policy – could be the framework to adopt
    - The annual report is an important avenue to get the word out & toot our own horn
    - Include data on Chapter 343
    - Work with the legislative committee
    - Create a report card
    - Lots of flexibility with format
    - Make better use of the media with bills and the report
    - Intern is the lead person to get the word out
- Chapter 343
    - Need communication component to get the word out for education & outreach

Committee Ideas

- **Annual Report Committee**
    - Focus of the report
        - Provide a summary of strengths & challenges
            - History, vision & function
        - Identify successes
            - Determine how we can succeed
        - Use as a tool/mechanism to guide the actions of the Governor, etc.
        - Provide recommendations for EIS Law applicants
        - Solicit input from other agencies regarding the state of the environment
        - The Governor's input should map out actions

- **Action Steps**
  - To be completed by December 2011
    - Gather OEQC data
      - Review reports from 2000 – 2005
        - Gary will forward the reports to the committee within one week
      - New Day Initiatives Plan
        - Environmental & National Resources
    - Contact the DOH planner by next week
      - Iris will make the contact
    - Create a schedule with milestones by next week
    - Create a draft action plan and/or table of contents for the July 13th Council meeting
      - Malia will take the lead
    - Engage the U.H. or Chaminade graphic design program
      - Interns will assist to make contacts
    - Take the final product and make a presentation to the Governor and Legislators
  - To be completed by December 31, 2012
    - Status on new Day Initiatives Plan
    - Host a workshop/conference as a companion to the Annual Report

- **Rules Committee**
  - To be completed by December 31, 2011
    - Create a power map
    - Create a process map
    - Establish a work plan
      - Outreach to other agencies
    - Rules
      - Identify topics & specific language
      - Use a media approach to post language
  - Need to be able to report to the Legislature in January 2012 that a process is under way
    - Need to have a work plan with a timeline; or
    - Resubmit rules from the prior Administration
  - To be completed in 2012
    - Work with the Legislature and Legislative committee
    - Take proposed language to the public
    - Initiate the process

- **Legislative Committee**
  - The one year plan is the same as the 2nd year plan
  - Now to November 1:
    - Conduct research on the Bill
      - Identify what issues need to be addressed
        - Establishment of fees
          - Conduct research on:
            - Appropriateness &
            - Labor costs
          - Use the fee bill to increase the staff
        - Expedited rule making
          - Determine the rationale
        - Food security
          - Emergency food supply for the State – is there enough?
        - Longer leases for farm land
          - Housing for farm laborers
        - Leases on private lands vs. State land
          - It's hard for outsiders to break into a State lease
        - Package of Bills (i.e. cleanup of Lake Wilson)
        - 699 is still alive – there potential to get it passed
      - Consider focusing on different topics for different years
      - Conduct outreach to non-traditional groups (i.e. smaller farmers)
    - Determine who does lobbying for the Council
      - Director?
      - Council members?
    - Create a plan to promote the legislation
    - Identify available grants
      - Interns will identify the grants
  - December 1: Draft legislation
  - December 1 – January 2012: media push
  - January: Identify someone to introduce the Bill

- **Exemptions**
  - Finish backlog (it is close to being completed)
  - DLNR emergency response
  - If there are no more applicants, then
    - Create a standard exemption determination form/template
    - Formalize a public notice of exemption
      - Create a transparent process
  - Insure neighbor island participation in sub-committees and comply with Sunshine Laws
    - Robert will fly over for the July 13th meeting
    - Money will be provided for transportation for those who want to fly over for the meetings

- Audit current agency practices & identify
  - No lists
  - Old lists
  - New lists
  - Prospective abusers
    - Ask for 343 point of contact for that agency

Next Steps for Council

- The Committees will meet on July 13th
  - Committee chairs will email the committee agendas to Mary by July 5th
- The facilitator will email the Strategic Planning notes to Gary & Mary by July 2nd
- Everyone will consider 1st and 2nd choices for alternate Council monthly meeting dates other than Wednesday
  - The Council will meet monthly through the end of 2011
- Video conferencing cannot go beyond 4:00 p.m.

ENVIRONMENTAL COUNCIL MEETING

July 13, 2011

GUEST/OTHER

NAME	AGENCY	E-MAIL ADDRESS	PHONE
Alton Miyasaka	DLNR	alton.k.miyasaka@hawaii.gov	587 70092
Alyson Yim	DLNR	alyson.k.yim@hawaii.gov	587-0259
Carty Chang	"	carty.s.chang@hawaii.gov	587-0230
William M. Tam	DLNR	william.m.tam@hawaii.gov	587-0214
Randy Cates	Private Citizen	CatesInternational@Hawaiiantel.net	479-7104
Bianca Isaki	KAHEA	~~bisaki@~~ bianca@kahea.org	927-5606
Ted Bohlen	AG		
Lisa Ferentinos	DLNR	Lisa.Ferentinos@hawaii.gov	586-0927

ENVIRONMENTAL COUNCIL MEETING

July 13, 2011

COUNCIL AND STAFF MEMBERS

Name	Title	Signature
Akutagawa, Malia	Environmental Council (Molokai)	
Atkin, David	Environmental Council	
Bohlen, Edward	Legal Counsel	ok
Char, Alvin	Environmental Council	
Cooper, Pete	Environmental Council	
Glenn, Scott	Environmental Council	
Hooser, Gary	Ex-Officio	
Inouye, Robert	Environmental Council (Kauai)	
Matsushima, Susan	Environmental Council	
Mears, Shannon	Environmental Council	
Prentiss, Charles	Environmental Council	
Richards, John	Environmental Council (Big Island)	ok
Steiner, Mary	Environmental Council	
Sullivan, James	Environmental Council	
Terashima, Iris	Environmental Council	
Ziegler, Marjorie	Environmental Council	
Leslie Segundo	Support Staff	
Alice Domingo	Support Staff	
Allison, Jason	Intern	