

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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ENVIRONMENTAL COUNCIL
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AZITA QUON
JOHN RICHARDS
JOSEPH SHACAT
MARY STEINER
IRIS TERASHIMA
GLENN TEVES
MARJORIE ZIEGLER
JESSICA WOOLEY, OEQC DIRECTOR

ENVIRONMENTAL COUNCIL MEETING MINUTES
June 19, 2014 (Thursday) from 2-4 PM
State Office Tower, Suite 1500
235 South Beretania Street, Honolulu, Hawaii'i 96813

Members Present: Scott Glenn (Chair), Charles Prentiss (Vice-Chair), Malia Akutagawa, Mark Ambler, Paul Chang, Koalani Kaulukukui, Joseph Shacat, Glenn Teves, Marjorie Ziegler, and Jessica Wooley.
Members Absent: Azita Quon, John Richards, Mary Steiner, and Iris Terashima.
Counsel Present: Edward Bohlen (Department of the Attorney General).
OEQC Staff Present: Leslie Segundo, Susan Faulk, and Liam DeClive-Lowe (Student Intern).
Other Attendants: Shannon Alivado (General Contractors Association), Peter Lee (Hawaii'i Laborers-Employers Cooperation and Education Trust [LECET]), and Dan Purcell (Public).

1. Call to Order

Chair Glenn called the meeting to order at 2:05 PM with a quorum of 10 members.

2. Introductions/Attendance

All present members and guests introduced themselves. As of June 30th, 3 members' terms expire including Malia Akutagawa, Paul Chang, and Iris Terashima.

3. Approval of Minutes

Item 8b needed revision; therefore, a motion was made by Chair Glenn to table the minutes until the next meeting for correction. Ms. Ziegler seconded the motion. Vote was unanimous by all 10 council members to table the minutes for the next meeting pending edits.

4. Chair's Report

Chair Glenn thanked Malia Akutagawa, Paul Chang, and Iris Terashima (not present) for their service on the council.

Ms. Akutagawa announced a Boards & Commissions training session on Saturday, July 12th, at the UH Law School. Topics include traditional and customary Hawaiian Rights Law, Bare Law, Ceded lands Trust, etc. If interested in attending, please e-mail Ms. Akutagawa at malaku@hotmail.com.

5. OEQC Director's Report

- Comments to Fenix Grange still welcome regarding the stream testing study results run by the Department of Health, Hazard Evaluation and Emergency Response. This report will be disclosed in an issue of The Environmental Notice.
- The guidebook revision may be done by the end of July. There will be a supplement to the existing 2012 guidebook with updates on current laws and detailed chart information to increase transparency and clarity.
- A potential law student may be able to assist the council with working on the rules.
- Windsor Solutions contract will enter into its second phase to allow the filling out of EA or EIS documents online, which will then automatically go into The Environmental Notice. This would allow agencies to correct themselves and streamline operations.
- Key date for budget requests is September. List of council expenses for the year requested by Ms. Ziegler to assist with justifying council expenses such as possible travel to outer islands for public hearings on the rulemaking process.
- OEQC will be advocating for IT help to assist in software and hardware issues.
- Student intern, Liam DeClive-Lowe introduced.

PUBLIC COMMENT: Court reporter/stenographer and Hawaiian interpreter for public hearings suggested.

6. Standing Committee Reports

a. Exemption Committee:

Mr. Prentiss sent an e-mail to Samuel Lemmo of DLNR, asking "how small-scale beach restoration projects would be so similar that one assessment would adequately address the impacts of potentially widely different and separated sites?"

Mr. Lemmo's response was, "We have not gotten very far on this. I don't have any details at this point. Your question is one of the main challenges. All I can say at this point is that you constrain the type of project so much that it is acceptable at most sites. There is always discretion at the end of the day and, remember, we are not seeking a consumptive action. This would only be for areas where the beach has eroded and people seek to replace sand."

Mr. Prentiss interpreted this response to mean that if they do a programmatic EIS, that when they go to do a project, they would somehow attempt to design it to fit into what the impacts were in the programmatic and, if it doesn't, they would have to do an additional EA.

Comments from various council members included:

- There needs to be some baseline on how much sand is out there right now in order to determine loss. How much sand do you have? What's the cumulative impact? Policies need to be put in place on regulating sand.
- With climate change and sea level rising, how are we going to change our environmental policies to adapt to the inevitable?
- Invite Mr. Lemmo to talk story with the Exemption Committee or full council. Suggestion was made to be a bit more preemptive with DLNR in terms of what's going on, and how the EC can help and be more involved.

It was decided by Chair Glenn to issue an invitation to Mr. Lemmo and ask if he'd be willing to let the council be part of the pre-consultation process or if he'd like to meet with the Exemption Committee.

Mr. Prentiss also suggested looking at Bill 17 of the Honolulu City Council which proposes giving exemptions for small beach restoration projects up to \$500,000 and exemptions to SMA permits.

PUBLIC COMMENT: Mr. Lemmo speaking to the entire council was recommended as he is a knowledgeable newsworthy speaker.

b. Annual Report Committee:

Possible themes for next year's Annual Report included:

- World Conservation Congress (WCC): Hawai'i to host the congress in 2016. The EC can help inform the public about this upcoming event and what the IUCN (International Union for Conservation of Nature) is, what it does, why it exists, what the WCC is, and educate the public on ways to participate.
- Climate change as it pertains to Hawai'i and the heart of tourism.
- Invasive species.
- IUCN raising awareness about the GPI.

8. COUNCIL REORGANIZATION:

- Exemption Committee (5): Charles Prentiss continues as Chair with members Mark Ambler, John Richards, Marjorie Ziegler, and new member Joseph Shacat.
- Annual Report Committee (3): Scott Glenn continues as Chair with members Azita Quon and Marjorie Ziegler. Chair Glenn, using his authority, took off Mary Steiner as a member.
- Information & Outreach Committee (3): Mark Ambler continues as Chair with members Glenn Teves and Mary Steiner.
- Legislative Committee (3): Mary Steiner continues as Chair with member Scott Glenn and new member Joseph Shacat.
- Rules Committee (5): Scott Glenn continues as Chair with members Mark Ambler and Koalani Kaulukukui, and new members Joseph Shacat and Jessica Wooley.

The Environmental Council currently has 4 vacant seats available.

A motion was made by Ms. Ziegler to nominate Mark Ambler as Chair and Scott Glenn as Vice-Chair. Ms. Kaulukukui and Mr. Teves seconded this motion. The public was supportive of the nominations made. There was a unanimous vote made by all 10 EC members present for Mark Ambler as Chair and Scott Glenn as Vice-Chair of the Environmental Council.

7. ANNUAL RETREAT:

SUGGESTIONS INCLUDED:

- Chip Fletcher, UH Professor of Geology, Coastal Geology Group, as possible speaker.
- Budgeting session.
- Chipper Wichman, CEO, National Tropical Botanical Garden (led the IUCN effort for Hawai'i's bid) as possible speaker.
- EC's role with the IUCN in an afternoon session.
- Jesse Souki, DLNR POC for the IUCN.
- Department of Transportation.

PUBLIC COMMENT: Suggestions made to ask about using the Office of Hawaiian Affairs' boardroom which is equipped for live streaming on the Internet and also for two-sided nameplates for the public, media, and others to know who's speaking.

9. Correspondence Received

E-mailed letter received on 19 June 2014 from Ronald Sato of Helbert Hastert and Fee (HHF Planners) raised several key points pertaining to a meeting in which a DLNR representative came to speak to the EC about their process for doing the Kawainui Marsh EIS. Of note:

- This item was placed on the agenda and sunshined.
- Chair Glenn sent a letter, on behalf of the EC, to DLNR Director, William Aila, to speak on this issue and personally called Mr. Aila, who confirmed that he would send a representative.

- On 20 March 2014, a DLNR employee came with a consultant, but the EC did not have quorum so there was no actual meeting. The DLNR representative agreed to stay and “talk story” and Chair Glenn opened up the meeting to everyone.
- A 2-hour discussion ensued about this project, covering a wide range of topics, not just the process and the way that they are approaching the EIS, but also the substance of the project and what they’re proposing to do.
- There was no interim director for OEQC present.
- Mr. Prentiss did disclose potential conflicts at this meeting and at the prior meeting on 4 March 2014.
- Chair Glenn to work on a response with Mr. Bohlen, Deputy Attorney General.

Also included in references e-mailed from Mr. Sato were:

- KNB, Pala ka Mai’a – A Hawaiian Response to the Kailua Neighborhood Board’s “Kawainui Marsh Restoration Plan: Priorities, Protocols, and Participation” by Kīhei and Māpuana de Silva, Director and Kumu Hula of Hālau Mōhala ‘Ilima and founding members of Kailua Kau a Ho’oilō.
- Kailua Neighborhood Board minutes from Thursday, 7 November 2013.

Correction noted by Mr. Prentiss on referral of the plan as the Kailua Neighborhood Board’s plan. The plan was developed by Ryan Kalama, Head of the Kailua Hawaiian Civic Club, and Mr. Prentiss. Numerous groups endorsed this plan, which was then taken to the neighborhood board planning and zoning committee. They discussed, endorsed, and recommended it to the full board who also endorsed it. The Kailua Neighborhood Board then endorsed the plan at the 7 November 2013 meeting, being the 5th organization to endorse this plan.

10. Public Testimony

- Suggestion made to fill appointments to the EC, especially from the outer islands for broader representation.
- Jessica Wooley is a plus with her legislative background.
- Encouraged to have better media relations with newsworthy topics and/or speakers that educate the public.
- The experience over the next couple of years of getting to the conservation congress is exciting.

11. New Business

- Resolution 14-911: Ms. Ziegler opposes this resolution being put on the charter for the November vote as the \$4 million yearly fund is not enough to fix all the parks and should be used instead for land acquisition to obtain more undeveloped space.
- Ala Wai watershed, flood control, and flood mitigation project: Both Mr. Ambler and Mr. Shacat attended the public pre-consultation for this project. Per the Army Corps, to control flooding in Waikiki and urban areas (Mānoa, Palolo Valley, and Mō’ili’ili), the canal would have seawalls to control the volume of water coming down at once. Part of it was putting in detention basins in the valleys, and upper and lower parts of the watershed, essentially transforming the Ala Wai golf course into a giant detention monitor. Damming up or putting walls running the Ala Wai Canal would force water into the golf course, instead of flooding Waikiki (selective flooding), causing less damage.
- Next meeting date: **Thursday, July 24, 2014, Room 1500, 2-4 PM.**

12. Adjournment

The Chair thanked everybody for attending, especially Paul and Malia, and adjourned the meeting at 4:03 PM.