



STATE OF HAWAII
ENVIRONMENTAL COUNCIL
235 SOUTH BERETANIA STREET, SUITE 702
HONOLULU, HAWAII 96813

Telephone (808) 586-4185
Fax (808) 586-4186
Email: environmental.council@doh.hawaii.gov

MARK AMBLER
Chairperson
SCOTT GLENN
Vice-Chairperson
KOALANI KAULUKUKUI
CHARLES PRENTISS
JOHN RICHARDS
JOSEPH SHACAT
MARY STEINER
GLENN TEVES
MARJORIE ZIEGLER
JESSICA WOOLEY, OEQC DIRECTOR

ENVIRONMENTAL COUNCIL MEETING MINUTES

November 20, 2014 (Thursday)
2:00 - 4:00 PM

State Office Tower
235 South Beretania Street, Suite 1500
Honolulu, Hawaii 96813

Members Present: Mark Ambler (Chair), Scott Glenn (Vice-Chair), Charles Prentiss, John Richards, Joseph Shacat, Koalani Kaulukukui, Mary Steiner, Glenn Teves and Jessica Wooley
Members Absent: Marjorie Ziegler
Counsel Present: Edward Bohlen (Department of the Attorney General)
Special Guests: Gary Gill, Deputy Director for Environmental Health

1. Call to Order

Chair Ambler called the meeting to order at 2:03 PM with quorum of 9 members. There were two sign in sheets circulating; one for the EC members, so the Chair can keep track of their attendance and the other for the public.

2. Introductions/Attendance

All present members and guests introduced themselves.

3. Approval of Minutes from July 24, 2014 and August 21, 2014

- A motion was made for approval of the July 24, 2014 meeting minutes by Ms. Steiner, seconded by Mr. Richards, and the minutes were approved by 9 Environmental Council (EC) members present.
- A motion was made for approval of the August 21, 2014 meeting minutes, subject to correcting "Chelsea's" name. The motion was seconded by Mr. Richards and the minutes were approved by 8 EC members present. Ms. Kaulukukui abstained.

4. Chair's Report

- Chair tried to contact the Boards and Commissions manager regarding EC's membership; have not received any response. Ms. Wooley reported that she talked to staff and if people are interested, they can get an application from the website.
- Chair emphasized that EC needs to plan ahead if we want to reach our goals to be active in the 2015 session. Mr. Glenn reported that the Legislative Committee is working on identifying items the EC will support and have the Chair testify on.

5. OEQC Director's Report

- Ms. Wooley reported that OEQC staff are working on setting up a database for the 343 process and improving the Map Viewer.

- Genevieve Hilliard updated the “Citizen’s Guide”. It was in the “The Environmental Notice” (“Notice”) and now on the website.
- Working on getting a logo that will be on the “Notice” and the website.
- OEQC is trying to do more outreach to the public.
- Received a lot of feedback from agencies regarding the exemption letter that went out.
- Mr. Glenn said that he liked seeing the Exemption Declaration published in the “Notice.”
- Ms. Wooley stated that they will rely on the website to notify people of the meetings.
- Hard copies of the “Notice” will be available at the libraries, along with electronic copies.
- Herman Tuiolosega will do the “Notice”, Les Segundo will be taking a break from the EC, and Ms. Hilliard will serve the EC.
- Recognized and thanked Linda Hijirida; she’s making a big difference in the office.
- Public Comment - Dan Purcell commented on how OEQC notifies the public about the meetings. He also brought up that the law allows him to testify on every agenda item. Per Counsel, that is correct, but the EC has the right to decide when the public can speak.

6. Standing Committee Reports

- a. Information/Outreach
 - i. Chair brought up the August 22, 2014 “Civil Beat” article “Big Ideas, Plenty of Uncertainty in the Hawaii Environmental Council” by Anita Houghlin and Nathan Eagle. This article mentioned the EC budget woes, video conferencing to allow people on the neighbor islands to watch the meeting, and the goal to increase the number of Facebook likes. Glad to report that we met that goal; there are 445 likes.
 - ii. State Office of Planning hosting a meeting tonight to discuss improvements to the State’s land use system. Chair plans to attend, not to participate, just to gather information to bring back to the group.
- b. Exemption
 - i. Mr. Prentiss reported the committee reviewed the exemption lists for all the state agencies and the City and County of Honolulu agencies. This afternoon, they went through the rest of the neighbor island counties. Looked at who had a list, who didn’t have a list and should they have one, and any list more than five years old should be updated. Mr. Shacat will put the information in a report along with the responses OEQC have received from their letter. The committee will review the report and decide on future action.
 - ii. Public Comment – Mr. Purcell asked for a copy of the minutes. They’re supposed to be available to the public 30-days after the meeting. Ms. Steiner made a motion to have Counsel look into this and report back in the next EC meeting, seconded by Mr. Richards, and approved by 9 EC members present.
- c. Legislative
 - i. Committee Chair Report
 - Ms. Wooley introduced Liam deClive-Lowe and Genevieve Hilliard.
 - Ms. Wooley mentioned she would like to step down as chair.
 - Working on the budget to get EC the resources they need.

Ms. Wooley acknowledged and thanked Gary Gill for coming to the meeting.

- During the EC’s Strategy Session, the EC identified 3 topics/priorities. Ms. Wooley worked with the volunteers and staff to come up with this legislative package. Mr. Liam deClive-Lowe did a brief overview of his handout, “2015

Legislative Package and Sustainability Vision for Hawaii” updated November 20, 2014. Mr. deClive-Lowe recognized Meg DeLisle and Nourah Abu Al Saud for their help with this project, but couldn’t be here today. All of the ideas in the plan are based on the priorities set in the Strategy Session. They took those ideas, researched them, and put together the legislation and action to back them up.

- Ms. Wooley reported that the main goal was to present this information to the EC, have them process it, and then decide a course of action.
- ii. Proposed Senate Bill Revising HRS 341
1. Chair Introduction – Genevieve Hilliard reviewed the changes to this bill which is aimed to increase the efficiency of OEQC and the EC by redefining the roles.
 - OEQC instead of the EC will take over Rule Making and the Exemption List.
 - EC will still do an Annual Report, but it will be on broad environmental trends and OEQC will do an environmental review process focused report.
 - EC will be attached to OEQC, not DOH.
 - OEQC Director will no longer serve as an ex officio voting member.
 - OEQC will staff, but not direct the EC.
 - Re-introduced the Environmental Review Special fund.
 2. Council Discussion
 - Mr. Richards opposed reducing the members from 15 to 9. With 15, you get a broader diversity. Ms. Wooley stated that it’s been a challenge getting 15 on the council and quorum for meetings. Considered including agency heads to meet some of those numbers. Suggested changing the quorum rule. Mr. Teves agreed with Mr. Richards to leave the number at 15 and recommended including the neighbor islands and various agencies involved. This is a Boards and Commissions question. Ms. Wooley concluded that this issue will be up to the next Legislative chair whether or not to include it in the bill.
 - Concern was expressed over EC Chair reporting directly to the Governor and the OEQC Director being removed from the EC. The Governor appointed the Director and may not have appointed the Chair. He might not care what the Chair is reporting.
 - Mr. Glenn said we’re not reporting anything new; these ideas have been introduced before. The proposed changes should support our mission – why do we exist, what are we here to do, how can we do it better, and is our structure set up in a way that supports our mission. He’s interested in setting up a structure for the OEQC and the EC that reduces that political vulnerability.
 - Chair said all the details of the bill have to be agreeable to 8 out of 10 members if the EC is going to support it.
 - Ms. Steiner expressed fear bringing these bills; it leaves us open to any kinds of change. Let the committee do its work and then bring it to the EC. Need full agreement in the council to move this forward.
 3. Public Testimony
 - Mr. Purcell commented on the EC membership – when you assign departments to the board, they sometimes don’t show up; he sees too much power from the governor making all the appointments; would like to see county councils picking a representative. Ms. Wooley suggested the Speaker and the Senate President sit on the EC.
- iii. Proposed Senate Bill Revising HRS 343
1. Chair Introduction – Ms. Hilliard presented the changes to this bill.
 - Adding language to clarify the EA/EIS process.
 - Asking for a summary and updates on the projects. Trying to simplify the process with a record of decision.

- Using language to encourage the joint HEPA/NEPA documents that come through.
- Introducing the concept of tiering for problematic documents.
- Updating the distribution and publication requirements.
- Added definitions.

2. Council Discussion

- Ms. Steiner asked how much of what the Rules Committee been working on overlaps this proposal. Mr. Glenn responded that they have not addressed statutory concerns but some things did overlap, like joint HEPA/NEPA.
- Member disagreed on the section to remove the requirement that an aggrieved party must comment on the EIS in order to be judged an aggrieved party. Mr. Teves didn't want to lock anyone out of the process because they missed the deadline. Mr. Richards supports limiting it at that point if you haven't been involved at all.

3. Public Testimony

- Mr. Purcell commented, we need legislation on gutting and replacing bills.
- Ms. Hilliard asked if you have any information or historical documents regarding these bills, please forward it to her.
- A motion was made to add Ms. Kaulukukui and Mr. Ambler to the Legislative Committee. The motion was seconded and approved with 9 EC members present.
- Ms. Steiner stated the EC has to appoint the committee chair and suggested that the Legislative committee discuss and select a new chair in their next meeting and bring it to the December EC meeting.

d. Rules

Mr. Glenn had nothing to report.

e. Annual Report

- i. Mr. Glenn didn't have a chance to talk to the professors; he had nothing to report.
- ii. Ms. Wooley reported that OEQC has been meeting with UH.
 1. They are on track and will submit a draft by November 30, 2014
 2. Pushing to get one-page summary from each of the speakers. Ms. Steiner asked if they could include a picture.
- iii. Chair asked Mr. Glenn for the template and will forward it to all the committee chairs.

7. Public Testimony

Mr. Purcell thanked Gary Gill for the outstanding job he's doing on the task force.

8. Correspondence Received

- CDUA application #HAR-3424 about an environmental assessment finalized with no significant impact in January 2008. Chair will forward to OEQC and don't think it needs a vote.
- EPA to allow a carbon tax. Will forward to OEQC and the Legislative Committee.
- National Association for Environmental Professional on April 13-17, 2015 in Honolulu, Hawaii. Chair is planning on attending his for his work.
- Request for each EC member's background and affiliation. Chair will refer them to the Annual Report.
- Comments
 - Ms. Steiner mentioned that we used to keep a book of all the correspondence and would like to see a file kept. Ms. Wooley will assist with that.

- 2016 World Conservation Congress, in Honolulu, Hawaii. Ms. Wooley should be involved in that planning process. Would like to ask the governor to include OEQC and the EC. Suggestion was made to put this on the agenda for the next EC meeting.

9. New Business

- The next EC meeting will be on Friday, December 12, 2014, from 1:00 – 3:00 pm.
- Per Mr. Prentiss, the Exemption committee doesn't have to meet until January; so they will not meet that day.

10. Adjournment

The meeting was adjourned at 3:54 PM.