



STATE ENVIRONMENTAL COUNCIL

DEPARTMENT OF HEALTH, STATE OF HAWAII
235 South Beretania Street, Suite 702, Honolulu, HI 96813

Phone: (808) 586-4185
Email: oeqchawaii@doh.hawaii.gov

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Governor

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Environmental Council
State of Hawai'i
February 14, 2017, 1:00-3:30 PM
Leiopapa A Kamehameha
Room 204, 235 S. Beretania St., Honolulu, HI 96813

*17 FEB -7 P3:38

LIEUTENANT GOVERNOR'S
OFFICE

1. Call to Order, Roll Call, Introductions, Quorum
2. Review and approval of prior meeting minutes
 - a. Meeting held on January 10, 2017
3. Director's Report on OEQC activities
4. Publication of the Natural Energy Laboratory of Hawai'i Authority exemption list in The Environmental Notice for 30-day public comment
5. Consideration of legislation that may impact the mission of the Environmental Council (See Exhibit A for list of bills)
6. Amendment to Administrative Rules of the EIS Process (Chapter 11-200, HAR)
 - a. Rule 2 Definitions – to revise definitions relating to a “direct-to-EIS” pathway as provided in Act 172 SLH 2012 in Chapter 343, HRS.
 - b. Rule 15 Consultation Prior to Filing a Draft Environmental Impact Statement – adjust the requirements for preparing an EIS Preparation Notice (EISPN) so that the content requirement addresses EISPNs being prepared as a result of an environmental assessment or using the “direct-to-EIS” process.
7. Changes to committee assignments
8. Adjournment

**Exhibit A: Hawaii Environmental Council - Legislative
Committee Pending Legislation for Environmental Council
Consideration**

Last updated 2/4/2017

Bill Number	Measure Title	Description	Rationale	Legislative Committee Position	Environmental Council Position
SB 192	RELATING TO THE STATE BUDGET	"Appropriates funds for the operating and capital improvement budget of the Executive Branch for fiscal years 2017-2018 and 2018-2019 "	EC Budget		
SB 570	RELATING TO ENVIRONMENTAL IMPACT STATEMENTS	Requires an environmental assessment for any proposed use or development of property greater than one hundred acres in size. Requires the EA to include the results of a minimum five-day search for endangered or threatened species.	New "trigger" for EA		
SB 577	RELATING TO AFFORDABLE HOUSING	Exempts the development of affordable housing projects developed in the urban core by the Hawaii housing finance and development corporation from environmental assessment and environmental impact statement requirements	Exemption from EA and EIS		
SB 578	RELATING TO HOUSING	Authorizes the Hawaii community development authority to prepare a programmatic environmental impact statement for housing development projects on all lands within the Kakaako community development district. Allows the programmatic environmental impact statement, once it is accepted by the office of environmental quality control, to satisfy the environmental assessment and impact statement requirements for any housing development project within the Kakaako community development district.	Eliminates need for EA and EIS if PEIS is prepared.		
SB 1232	RELATING TO PUBLIC LANDS	Declares the intent of the legislature that a contested case hearing shall not be required for land leases, lease extensions, consents to subleases, or any other dispositions of public land	Eliminates contested case hearings for some land issues		

Other Bills Relating to Governor's Strategic Hawaii Initiative : Environmental Council may consider possible position

SB 879	RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION.	Restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, administratively attached to the Department of Agriculture, to coordinate implementation of the Hawaii Interagency Biosecurity Plan and to improve coordination of the State's invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs. Appropriates funds to implement the Authority and relevant interagency invasive species projects. Effective 7/1/2017.			
SB 880	RELATING TO THE IMPORTANT AGRICULTURAL LAND QUALIFIED AGRICULTURAL COST TAX CREDIT	Extending by ten years the time period that the Department of Agriculture may certify important agricultural lands qualified agricultural costs			
SB 881	RELATING TO AGRICULTURE	Establishes a grant program within chapter 163D, Hawaii Revised Statutes			
SB 882	RELATING TO FARM TO SCHOOL MONTH IN HAWAII	Designates the month of October as "Farm to School Month in Hawaii "			
SB 884	RELATING TO AGRICULTURE.	Establish a special fund within the department of agriculture to deposit fees and expend funds necessary for the industrial hemp pilot program. Specify that the cultivation of industrial hemp shall be limited to licensed owners, lessees, or occupiers of lands situated within the State agricultural district. Clarify that each respective county must recognize industrial hemp cultivation as an agricultural product, use, and activity allowing lower land assessment.			
SB 895	RELATING TO CRIMINAL TRESPASS.	Adds the offense of criminal trespass onto state lands to the penal code. Amends criminal trespass in the second degree to apply to government agricultural property regardless of whether it is fenced, enclosed, or otherwise secured.			
SB 906	RELATING TO RENEWABLE PORTFOLIO	Amends the "renewable portfolio standard" calculation to more accurately reflect the amount of grid-connected renewable energy generation in Hawaii			
SB 909	RELATING TO ENERGY ASSURANCE.	Addresses deficiencies in Hawaii's fuel shortage response and energy emergency (energy assurance) statutes; provides policy guidance on preparing for, responding to, recovering from, and mitigating against any actual or potential energy supply disruption or shortage to preserve the State's energy security and to ensure that fuel products and energy resources are made available to emergency services and the public in an orderly, efficient, and safe manner.			
SB 989	RELATING TO DEPARTMENT OF LAND AND NATURAL RESOURCES VIOLATIONS	Amends fines for destroying or harvesting trees including koa on state forest reserves lands to an amount up to \$10,000 or three times the market value at the time and place of the violation for each tree including koa, whichever is greater, in addition to any administrative fines and costs associated with restoration or replacement of the habitat and damages to public land or natural resources, or any combination thereof. Clarifies that any person violating any provision of part II (Forest Reserves) of chapter 183, Hawaii Revised Statutes (HRS), or any rule adopted pursuant thereto, other than section 183-17, HRS, shall be guilty of a petty misdemeanor. Repeals the general penalty provision of chapter 183, HRS			
SB 990	RELATING TO FOREST STEWARDSHIP.	Clarifies conditions that must be met by applicants to receive funds under the Forest Stewardship Program			