



STATE ENVIRONMENTAL COUNCIL

DEPARTMENT OF HEALTH, STATE OF HAWAII
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David Y. Ige
Governor

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Joseph Shacat

Vice Chair
Scott Glenn
(Ex Officio)

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Mary Begier
Stephanie Dunbar-Co
Maka'ala Ka'aumoana
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I. Robin Kaye
Theresita Kinnaman
Robert Parsons
Charles Prentiss
Ron Terry
Puananiaona Thoen
Michael Tulang
N. Mahina Tuteur

State of Hawai'i Environmental Council
Wednesday, October 18, 2017, 1:00 PM - 3:00 PM
Leiapapa A Kamehameha Bldg.
Room 1500, 235 S. Beretania St, Honolulu, Hawaii 96813

Members Present:

Roy Abe, Mary Begier, Scott Glenn, Maka'ala Ka'aumoana, I. Robin Kaye, Theresita Kinnaman, Robert Parsons, Charles Prentiss, Joseph Shacat, Puananiaona Thoen, Michael Tulang, Mahina Tuteur

Members Absent:

Stephanie Dunbar-Co, P. Ka'anohi Kaleikini, Ronald Terry

EC Counsel:

Diane Agor, Deputy Attorney General

OEQC Staff:

Charlotte Needham, Leslie Segundo

Public:

Shannon Alivado, General Contractors Association
Amarjargal Batchuluun, William S. Richardson School of Law
Mark Fox, The Nature Conservancy
Dr. Hans Krock, University of Hawai'i at Mānoa
Annie Macapagal, Watanabe Ing
Regina Ostergaard-Klum, Hawai'i Pacific University
Julie Yunker, DBEDT

1. Call to order, roll call and quorum, introductions
 - a. Meeting called to order at 1:00 PM.
Quorum met with 12 members present.
2. Review and approval of prior meeting minutes
 - a. Meeting held on October 3, 2017
 - i. Member Ka'aumoana motioned and Member Tulang seconded, Member Begier out of the room, motion approved with 11 votes aye, 0 nay, and 0 abstain.
3. OEQC Director's Report
 - a. Upcoming personnel changes
 - i. Zachary Stoddard, Planner III will be leaving OEQC at the end of October for a position with the City and County of Honolulu Department of Planning and Permitting.
 - ii. Diane Agor, Deputy Attorney General will be leaving the Attorney General's office effective November 3.
 - b. Status of revisions to Hawai'i Administrative Rules, Chapter 11-200, Environmental Impact Statement Rules.
 - i. Deadline for final comments on Version 0.2 is October 20.
As council requested, Version 0.3 changes will be bold,

include or address comments and reorganized. Document will be renamed 11-200-A to identify the different documents. Sections order will be changed. Target date for distribution is October 28 or at least before the next Council meeting on October 31. It will also be made available to the public at the same time the council members receive their copies.

- c. Introduction of The Environmental Notice using ArcGIS system. Director Glenn shared a prototype of the OEQC's revised web map viewer of EAs and EISs. Timeline for rollout is still to be determined.
 - d. Discussion on the definition of what is a "program" or "project"
 - i. These terms determine what goes through Chapter 343, HRS and what does not. If the activity is a program or a project, it would go through environmental review (EA, EIS, or exemption). If it is not a project or program, then it would not need to do an EA or EIS or get an exemption. The recent Hawai'i Supreme Court case *Umberger v Department of Land and Natural Resources* offered definitions. Are these the definitions the Council wants to use? Or does it want to develop its own definitions? The Council agreed that OEQC should draft some language for consideration and that members would individually provide comments to OEQC's drafting assistant, Christina Lizzi. Version 0.3 will incorporate comments to be reviewed and discussed at the October 31 meeting.
4. Exemption Committee
- a. Concurrence with Agribusiness Development Corporation exemption list dated October 6, 2017 (see Attachment A) – approval for publication in the *Environmental Notice* for 30-day public comment period.
 - i. Agribusiness Development Corporation submitted its revised exemption list for publication in the *Environmental Notice* and posted on the OEQC website for 30 days for public comment. The recommendation from the committee is to publish the list. The committee recommendation was unanimously approved (12 ayes).
 - ii. Director Glenn stated the list will be included in the October 23, 2017 *Environmental Notice*.
5. Information & Outreach Committee
- a. Potential initiatives on stormwater pollution control
 - i. Public-private partnership with the visitor industry
 - 1. Member Abe reported that the City and County of Honolulu has a comprehensive stormwater pollution control plan on the City's website as part of the MS4 (Municipal Separate Storm Sewer System) program.

- ii. State water quality standards and current point and non-point source discharge permitting and compliance challenges
 - 1. Improvement needed for the Industrial Stormwater permit program. Discussion was held on whether a nutrient discharge credit program would be useful. The committee will continue to explore this.
 - b. Toxoplasmosis public education initiative
 - i. Member Ka'auomoana proposed Council participation in a public information forum on Toxoplasmosis. Member Parsons is also a member of the Toxoplasmosis Statewide Task Force. He reported that the National Oceanic and Atmospheric Administration (NOAA) has taken the lead. The committee contact the group for information. Additional later tasks include preparing a press release to notify the public and possibly preparing a brochure or "rack card."
 - c. Rat lungworm disease
 - i. Member Abe shared with members a brochure on the topic prepared by the Department of Health. Member Ka'auomoana suggested a rack card may be more effective.
6. Annual Report Committee
- a. General discussion of 2017 Annual Report
 - i. Review content of draft articles
 - 1. Chair Shacat reminded members to submit updated biographies or for new members to submit biographies and a current photo.
 - 2. Chair Shacat will submit an overview and address the issue of climate change.
 - 3. Director Glenn will write about Governor's Sustainable Hawai'i Initiative.
 - 4. Member Ka'auomoana will write about toxoplasmosis.
 - 5. Member Abe will write about stormwater runoff.
 - 6. Member Parsons write about inland sand mining and exportation issue on Maui.
 - 7. Professor Regina Ostergaard-Klem and Professor Kirsten Oleson will provide updated metrics for the Genuine Progress Indicator.
 - b. Timeline for 2017 Annual Report
 - i. The statutory deadline to submit it to the State Legislature is January 31, 2018. The Council will have to vote on it at the latest at its January 2018 meeting.
 - c. Additional strategies, format, methods of outreach, and budget for the Annual Report
 - i. The Council agreed to use the same general layout as last year's report.

7. Presentation regarding opportunities for Ocean Thermal Energy Conversion (OTEC) in Hawaii by Dr. Hans Krock, Professor Emeritus, University of Hawaii Department of Ocean and Resources Engineering.
 - a. Professor Krock described the proven technologies and current state of research for OTEC power. Members asked about financial and technical feasibility and expressed a general sense of support for the technology.

8. Adjournment
 - a. Chair Shacat adjourned the meeting at 3:10 PM.