



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
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MINUTES (DRAFT)

State of Hawai'i, Environmental Council

Tuesday, March 3, 2020, 1:00 PM– 3:30 PM

No. 1 Capitol Center Building, Executive Office on Aging
Room 410, 250 S. Hotel Street, Honolulu, HI 96813

David Y. Ige
Governor

Chairperson
Puananionaona Thoene

Vice Chair
Mary Begier

Members
Roy Abe
Stephanie Dunbar-Co
Dawn Hegger-Nordblom
Makaala Kaaumoana
Ian Robin Kaye
Theresita Kinnaman
Ron Terry
Michael Tulang
N. Mahina Tuteur

Members Present

Roy Abe, Stephanie Dunbar-Co, Maakaala Kaaumoana, Robin Kaye, Keith Kawaoka (Acting Director), Theresita Kinnaman, Rob Parsons, Ron Terry (Acting Chairperson), Mike Tulang, N. Mahina Tuteur

Members Absent

Puananionaona Thoene, Mary Begier

Staff

William Cooper (Deputy Attorney General), Leslie Segundo (Environmental Health Specialist)

Public

Kathleen Ho

Note: **Bolded** items below indicate text from the agenda.

1. **Call to order, roll call and quorum, introductions**

Meeting called to order by acting chairperson Ron Terry at 1:03pm. All present at the beginning of the meeting introduced themselves.

2. **Review and approval of prior meeting minutes**

Minutes are still delayed as of December 2019. No action was taken.

3. **OEQC Director's Report**

Acting Director Keith Kawaoka mentioned DOH is busy with coronavirus. There's still a lot of unknowns with coronavirus such as closures to include schools, who's lead State contact, and budgeting.

4. **Legislative Committee Update**

No Committee meeting was held.

Committee Chair Kaye commented about the Civil Beat publishing an article with the State Auditor. The Auditor mentioned that all of the 68 special fund requests that the Legislator passed were illegal. One of the specific funds mentioned was SB2777 where EC requested \$50,000 and said there was insufficient evidence to support that. It is unsure what the legislature will do about that.

The other bill of interest that Committee Chair Kaye speaks to is SB3152 to define cultural assessment and cultural impact assessments. It was mentioned that Onaona submitted testimony and explained why this bill could be problematic with process. The Rules Committee seems to think that definitions would be

good thing. Member Terry testified that he doesn't mind having cultural impact assessments being required for an EIS and all 343 documents need to address cultural impacts. But cultural impact assessments on environmental assessments is extreme overkill.

The last bill Committee Chair Kaye brings up is HB2624 that establishes the environmental impact statement hub as a hearing and notification website. This makes changes to the Office. One of the issues was how much time and labor it would take to create this hub. Also, there are no funds allocated for it. It has passed over. Committee Chair Kaye mentioned that he was unhappy in the way it described the efforts that were done behind the current website, which he thinks is very accessible especially about the rules. Also, he felt there was unnecessary criticism and inaccuracies in the language of the bill.

5. Action to authorize testimony

None. Ok to testify as individuals.

6. Exemption Committee Update

a. Action to concur with the Department of Land and Natural Resources' updated exemption list
Committee Chair Kaye said that no negative comments have been received.

Member Makaala voiced a concern about wells on private property. Due to increase of wells, would wells be considered a state resource and be a trigger under 343? Wells are under DLNR and would be a part of their submittal. Should State water resources be a trigger for 343? This is not just reorganizing the exemption lists. This should be an agenda item for a different meeting.

The Environmental Council unanimously approved the motion.

b. Action to authorize publication of the County of Kaua'i's Department of Water updated exemption list for public comment period

Committee Chair Kaye comments that there were a few amendments to this. Part 1: de minimis operation repairs, item 4, some information was added about floodlights having to be downward facing and in compliance for fledging seabird season. They reorganized the document in part 1 and part 2.

Committee Chair Kaye asks for questions. One member asked if the suggestions have already been sent back to the Department of Water Supply. Committee Chair Kaye said yes that's how it has been working recently with the early drafts so members are seeing the third or fourth draft. Another Committee member comments that on page 3, there are inconsistencies on the spelling of gauges. Committee Chair Kaye comments that this motion is just to open it up to the public and that there are other inconsistencies like this one mentioned.

The Environmental Council unanimously approved the motion.

Only three agencies responded. On the 8th of month, The Environmental Notice lists agency exemption notices.

7. Annual Report Committee Update

a. Action to approve finalizing the Annual Report

Last meeting, Acting Director Kawaoka offered to see if there was potential in using the Hawaii Procurement System to do short term contract for support on design, layout, and graphics. Draft scope of work was sent to OEQC staff, Onaona. The report is hoped to be provided to the Legislature by mid-March. Director's Report, Chair's Report, Hawaii Green Growth and Aloha Plus Challenge submitted a summary of their goals they are tracking. The other big part of the Annual Report is the summary of the seven agencies, which is not completed yet and the bios, which are ready. The Annual Report Committee approved to make this the content of the Annual Report.

Motion was made to approve the Annual Report being composed of Director's Report, Chair's Report, Hawaii Green Growth Dashboard, summaries of the five agencies, overview of the process, and the staff and counsel biographies. The Environmental Council unanimously approved the motion.

Some challenges are communicating with each other being on neighbor islands, limiting to meeting with no more than two people, and forming a PIG. Member Dunbar-Co offered to compile summaries of the agency as part of the Scope of Work to be submitted on Hi Pro due by March 20, 2020.

8. Information & Outreach Committee Update

None.

9. Public Forum

None.

10. Next meeting:

Tuesday, April 7, 2020, 1:00 – 3:30 pm

11. Adjournment

The meeting adjourned at 2:43 pm