



STATE ENVIRONMENTAL ADVISORY COUNCIL

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

State of Hawai'i Environmental Council
Tuesday, May 4, 2021, 1:00 PM – 3:30 PM
Online Zoom Meeting

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

Puananionaona Thoene (Chairperson), Mary Begier (Vice-Chairperson), Stephanie Dunbar-Co, Dawn Hegger-Nordblom, Makaala Kaaumoana, Keith Kawaoka (Acting Director), Robin Kaye, Theresita Kinnaman, Ron Terry, Michael Tulang, Mahina Tuteur

Members Absent

Roy Abe, Robert Parsons

Staff

Leslie Segundo (Environmental Health Specialist), Kathy Ho (Deputy Attorney General)

Public

Cody Brookes (RTO Insider), Pane Meatoga (Operating Engineers Industry Stabilization Fund)

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

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

With quorum of ten members present, Chairperson Thoene called the meeting to order at 1:05 PM.

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

None available.

3. **OEQC Director's Report**

Acting Director Kawaoka commented that the legislative session ended on Friday. Departments are working on budgeting worksheets to see how specific bills affected their budgets during the legislative session and C&Rs. There could be a special session soon to discuss the American Recovery Plan funds.

4. **Exemption Committee Update**

Committee Chair Terry mentioned that no committee meeting was held. Four agencies will be coming to the Committee soon with their exemption lists. The first will probably be the Kauai Department of Water in July. Two Honolulu City and Council agencies and Hawaii County Department of Water Supply will also be coming.

5. **Legislative Committee Update**

a. **Update on pending legislation that may impact the Council**

Committee Chair Kaye commented that HB1318 was passed and is now sitting on the Governor's desk. The bill moved the EC to the Office of Planning (OP) and changed the name to Environmental Advisory Council. Also, appeals will go to the environmental court and the annual report would be a part of OP's annual report.

Acting Director Kawaoka commented that this the first time he's experiencing an organization being relinquished. Overall, this is a best move.

AG Ho commented that in HB1318, no other agencies are mentioned and only OEQC is moving to the Office of Planning. She also commented that the Governor has 45 days to sign the bill, and 35 days to notify if vetoing the bill.

Vice-Chairperson Begier mentioned that HB1149 HD1 SD2 CD1 moves Land Use Commission to OPSD.

6. Rules Committee Update

a. Discussion of potential amendments to Hawai'i Administrative Rules Title 11, Chapter 201

Committee Chair Tuteur commented that Rules Committee members sent in proposed changes to the procedural rules and combined into a word document. She commented that the Committee has mostly been focusing on the appeals process but will be reviewing to check for inconsistencies. The Committee would like to discuss the quorum requirement on the next EC's and Legislative Committee's agendas. The Committee suggested that in 201-3d changing it from the majority of all members of the 15-seat Council to the number of members appointed. This requires a change to Chapter 92-15. Although the EAC can have up to 15 members, the majority quorum number is eight members, regardless of the number of appointed members. This has caused some potential voting issues. If HB1318 become law, then OPSD has rulemaking authority, not the Council and any changes would be done by OPSD.

7. Information & Outreach Committee Update

a. Discussion of status of forums planning

Committee Chair Begier commented that I&O is continuing to work on their forums. The forums will require people to submit questions ahead of time. The first forum on climate change, sea level rise, and shoreline protection and erosion will be on June 16. The I&O Committee is beginning to plan their second and third forum which will be focused on watershed protection and storm water management (July 21) and improved transportation loads (September 15).

8. Strategic Planning Permitted Interaction Group Update

a. Update regarding strategic planning for the Council

b. Update on strategic planning survey

Committee Chair Kaye commented that 30 responses to the survey have been received. The survey was sent in two groups. The first group was sent to people the EAC suggested, and the second group was received from people who responded to the April Environmental Notice. Les will send the link to the EAC so that they can answer the survey question.

Committee Chair Kaye asked the EAC how they wanted to go about working with the Office of Planning. Chairperson Thoene commented that it would be best to wait for the bill to pass before reaching out to OP. Acting Director Kawaoka commented that it would make sense not to waste any time and begin talking to OP. Committee Chair Kaye suggested the creation of a task force to

communicate with OP. Chairperson Thoene agreed and will reach out to Ms. Evans (OP Director). On the next meeting's agenda, the Council will have an opportunity to vote on the creation of a task force.

9. Next meeting: Tuesday, June 1, 2021, 1:30 – 3:30 pm

10. Public Forum

None.

11. Adjournment

The meeting adjourned at 1:55 PM.