



# STATE ENVIRONMENTAL ADVISORY COUNCIL

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

### Environmental Advisory Council

Tuesday, September 7, 2021, 1:00 PM – 3:30 PM

Zoom Video Conferencing

Josh B. Green, M.D.  
Governor

Chairperson  
Puananionaona Thoene

Vice Chair  
Mary Begier

Members  
Roy Abe  
Stephanie Dunbar-Co  
Dawn Hegger-Nordblom  
Maka'ala Ka'aumoana  
Ian Robin Kaye  
Theresita Kinnaman  
Michele Lefebvre  
Gordon Scruton  
Rachel Sprague  
Ron Terry  
Michael Tulang  
N. Mahina Tuteur

#### Members present

Puananionaona Thoene (Chairperson), Mary Begier (Vice-Chairperson), Roy Abe, Stephanie Dunbar-Co, Dawn Hegger-Nordblom, Makaala Kaumoana, Robin Kaye, Theresita Kinnaman, Ronald Terry, Mahina Tuteur

#### Member absent

Michael Tulang

#### Staff

Mary-Alice Evans (OPSD Director), Leslie Segundo (Environmental Health Specialist), Bryan Yee (Deputy Attorney General)

#### Public

Tamara Luthy (DLNR SHPD Ethnographer), Pane Meatoga

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

With a quorum of ten members present, Chairperson Thoene called the meeting to order at 1:02 PM.

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

None available.

#### 3. Office of Planning and Sustainable Development Director's Report

Director Evans apologized for not attending the August 2021 meeting. She reported that OPSD declined requests to conduct a parallel review of two final environmental impact statements (FEIS) due to staffing issues. To remedy this, OPSD will be requesting funding for the vacant Planner V position. Second, she offered the Council a suggested presentation for its October 2021 meeting on the 2050 Sustainability Plan. She noted that after consultation with the Deputy Attorney General, the OPSD Director is staff to the EAC and not an *ex-officio* member. It was reported that Mr. Robert Parsons has resigned from the EAC, leaving four vacancies on the EAC. All agreed to a presentation on 2050 Sustainability Plan for the October meeting.

#### 4. Exemption Committee Update

- **Status of exemption lists in active review by the Exemption Committee**  
Committee Chair Ron Terry reported on the status of each list.

State of Hawaii, Department of Transportation:

Committee Chair Terry mentioned he had an online meeting on September 2 with Mr. Masotomo Murata and Environmental Coordinators of the Department of Transportation. They discussed comments on lighting, seawalls and new bike paths being classified as *de minimis*.

City and County, Department of Transportation Services (DTS):

Committee Chair Terry reported that he received the Initial list on July 27, 2021 from Mr. Greg Tsugawa. He noted that both he and Chairperson Thoene reviewed the list and provided comments on August 27, 2021. Specific issues commented on included lighting and bikepaths. Other comments focused on format and organization, and *de minimis* actions for accessory development for transit facilities, especially police facilities, day-care facilities, public service and commercial retail and residential development facilities.

Kauai Department of Water:

Committee Chair Terry reported that he was awaiting a response to his comments on a giant table of proposed actions using small fonts from Mr. Michael Hinazumi.

Honolulu Board of Water Supply (HBWS):

Committee Chair Terry reported that the HBWS did not attend the Exemption Committee meeting. They were present only for the exemption portion of the full Council meeting in August 2021. He reported that on August 8, 2021, he sent them an email containing a list of questions. He is still awaiting a response. Chairperson Thoene mentioned that this will be tabled for the November meeting, if HBWS responds in time.

The Council engaged in a brief discussion on lighting at harbors and its effects on birds.

Mr. Meatoga joined the meeting at 1:27 PM.

## 5. Rules Committee Update

- **Discussion of potential amendments to Hawai'i Administrative Rules Title 11, Chapter 201**

Committee Chair Tuteur reported that the Committee will work with Deputy Attorney General Bryan Yee since Deputy Attorney General Andrew Goff was reassigned the Department of Health.

Chairperson Thoene noted that the new counsel for the EAC would be Jodi Yi. Chairperson Thoene highlighted the points of the proposed procedural rule changes:

- The Council no longer has the authority to hear applicant appeals from a non-acceptance of an EIS
- As the Council was renamed to "Environmental Advisory Council," doing general edits on if the Council has a right to hold contested case hearings or declaratory actions, etc.
- Updated filing requirements to be fully electronic that mirrors 343 Rules filing updates

AG Yee mentioned that AG Yi will be working on the list of EAC's questions.

## 6. Information & Outreach Committee Update

- **Discussion of status of forums planning**

Committee Chair Begier reported that the Committee is working from a list from 2020 Annual Report and noted that the forum on transportation would be in January 2022. The next forum is Wednesday, December 1, 2021 on Reducing Energy Use (Henry Curtis, Scott Glenn, and Leo Asuncion). She noted that the Hawaii Congress of Planning Officials (HCPO) conference is on October 4-7, 2021.

- **Discussion of and Council action to approve proposed amendments to Procedures & Checklist for Forums**

[http://oeqc2.doh.hawaii.gov/EC\\_Meetings/2021-09-07-EC-Information-Outreach-Com-Procedures-and-Checklist-for-Forums-Draft-Revisions.pdf](http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-09-07-EC-Information-Outreach-Com-Procedures-and-Checklist-for-Forums-Draft-Revisions.pdf)

MOTION: Committee Chair Begier moved from Committee (no seconded needed) to

approve the proposed amendments to Procedures & Checklist for Forums. The EAC unanimously approved the motion. Committee Chair Begier will ask OPSD for a YouTube channel for the Committee. She also apologized that the watershed video was not saved.

**7. Strategic Planning Permitted Interaction Group Update**

- **Discussion of strategic planning survey responses pursuant to HRS § 92-2.5(b)(1)**
- **Discussion of Environmental Advisory Council's strategic planning efforts**

Committee Chair Kaye reported that with Member Tulang absent, he met earlier with Member Abe and Vice-Chairperson Begier. The Committee discussed the need for a holistic overview of the State's environmental efforts. The Committee discussed a possible meeting with Representative Nicole Lowen and Senator Mike Gabbard to ascertain if they would like the State for Council to undertake role to frame holistic vision of the State environmental efforts as a convener.

Director Evans commented that her reaction to strategic planning would be informed by the process just completed by doing the 2050 State Sustainability Plan update. She noted that the Plan looked at over 150 laws, ordinances, and existing plans including some with the force of law that the State has already required in terms of environmental actions. It set a baseline for what State agencies are required to do. All State and county agencies cooperated as stakeholders in the 2050 Sustainability Plan. Director Evans recommended that the EAC receive the presentation on the Plan from the State Sustainability Coordinator, Danielle Bass. There was a brief discussion on Gap Analysis and State/county funding sources.

Chairperson Thoene suggested that the EAC should approach agencies first without going to legislators. She would like to understand internally as a Council what this effort would entail and if the Council has the capacity to take on this coordinator role. Some of the tasks the EAC is working on or would like to do include finishing updating the procedural rules, minor changes to 343 Rules, and cultural guidance.

Member Kaaumoana mentioned the Hawaii Conservation Conference meets annually at the IUCN and is the environmental leadership of the community. Another voice is litigation and lawsuits. Community-based focus and community-based efforts that is place-based or in a specific locale can have integrated, holistic plans such as Hanalei watershed management plan.

**8. Legislative Committee Update**

Committee Chair Kaye mentioned there's no Committee update.

**9. Next meeting: Tuesday, October 5, 2021, 1:00 – 3:30 pm**

**10. Public Forum**

For HCPO, Member Kaaumoana inquired if a waiver of the fees would be possible. Director Evans mentioned the decision is up to the APA Hawaii Chapter and Pacific Rim Concepts. Director Evans will check if fees can be lowered. Sponsorships for students is encouraged.

**11. Adjournment**

The meeting was adjourned at about 2:29 PM.