



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
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November 2021 Meeting Minutes Draft
For Review at December 2021 Meeting
Exemption Committee Meeting
State of Hawai'i Environmental Council

Meeting Held on Wednesday, November 3, 2021, 9:30- 11:00 AM
Via ZOOM videoconference

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
Robert Parsons
Ron Terry
Michael Tulang
N. Mahina Tuteur

Members Present (3): Ron Terry (Chair); Puananionaona Thoene; Maka'ala Ka'auomoana

Members Absent (1): Michael Tulang, Robin Kaye

Public Present: Gregg Tsugawa, Michael Motoki, Chris Clark, DTS. Herman Tuiolosega, Dean Watase, Tomo Murata, Blaine Nikaido, Faith Caplan, Lynette Kawaoka, Tracy Lum, Misako Mimura, Anna Hayes, DOT. Pane Meatoga, Operating Engineers Industry Stabilization Fund.

Staff Present: Leslie Segundo, Planner

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

With a quorum of three members, Chair Terry convened the meeting at ~ 9:35 AM. All present were introduced.

2. Review and approval of prior meeting minutes

Taken out of order at end of meeting. Minutes of July 2021 were reviewed and approved with no changes (Thoene/Kaye). However, according to Les, apparently there was a disconnect, as final minutes have already been published on the ERP website, even though they had not been actually considered yet.

3. Exemption list status (includes only items with action or discussion at meeting)

Agency	Status	Action
ACTION LISTS		
Honolulu Department of Transportation Services	<i>Chair reviewed list that was revised pursuant to his previous discussions with DTS.</i>	Review of list and consideration for recommendation to Council to request ERP to publish for public comment in next available Environmental Notice (TEN).
Hawaii Department of Transportation	<i>Chair reviewed list that was revised pursuant to his previous discussions with DTS.</i>	Review of list and consideration for recommendation to Council to request ERP to publish for public comment in next available TEN.

Hawaii DOT list was discussed first. Chair Terry explained the process of meetings with DOT, his comments, and the proposed changes, resulting in a markup list and clean list. Mr. Murata then gave a brief statement about the process that involved a task force with all three divisions and other Chapter 343 experts within DOT. He explained DOT's creation of a "Part III" type to help deal with emergencies. He also said they had an edit to Type 10, which they wish to retain as a possibility rather than delete it as the current revised draft list says. Then he introduced the whole DOT team. Then Chair Terry asked for comments from ExCom members. Member Kaaumoana said there was a lot of content and that she was appreciative of including Part III types. Also for separating general maintenance from other types of actions. No serious concerns but Type 2, Part 1, B-12. Replacing pervious with impervious. Should that be Part I? Finally, what about predator control maintenance? Important for Airports and Harbors. Member Thoene questioned whether replacement of seawalls is an appropriate Part I exemption. Ms. Caplan responded for HDOT and said impervious pavement is used wherever it can be. Maintenance and safety are issues. It's just a routine action that does not require an EA. Member Terry asked about the difference in permeability of intact concrete and asphalt. Ms. Mimura said they are approximately the same. However, they have new operational BMPs that require BMPs whenever one or more acres of impervious pavement is installed. Ms. Mimura stated that for the seawalls, DOT probably has no issue with replacement being a Part II. Mr. Tuiolosega of DOT stated that he really appreciated the predator control comment because DOT has to deal with wildlife all the time. Axis deer on runway on Maui is a new and troubling issue. Member Kaaumoana said the issue extends all the way to abandonment of animals on DOT facilities. She thinks some language within the exemption list would be helpful. Mr. Tuiolosega agreed. Chair Terry asked them to remove first sentence about the list being approved already by the EAC. Ms. Caplan said yes, at this point it is a presumptive. She also suggested putting "DRAFT" on this list. Member Kaaumoana asked some questions and made some comments concerning paving machines and their impacts, especially with streams nearby. Motion to recommend to EAC for release for public comment with first and last sentences removed (Thoene/ Kaaumoana) passed unanimously. Mr. Murata was fine with the motion.

Honolulu DTS list was then discussed. Chair Terry noted that he had provided extensive comments and that DTS replied very systematically to each comment. Mr. Tsugawa then explained the process and said they did not have as much expertise as DOT but utilized the existing list and also took advantage of the federal CatExs and some other transportation agencies' exemption lists as well. Circulated it twice within Dept. for comment. Held a couple information sessions with entire Dept. Chair Terry said his comments were focused on making it less repetitive and more logical and easy to understand. Mr. Motoki further explained the three divisions of the Dept. and what DTS is NOT responsible for. Various other CCH Depts deal with pavement, utilities, vector control, etc. DTS has much more limited responsibility for facilities. Member Thoene thanked DTS and said it is ready to go out for public comment. She had assisted Chair Terry in reviewing the list earlier and helped with the comments and felt they had been appropriately addressed. Member Kaaumoana said she has been paying

attention mainly to climate change issues. Chair Terry noted the exemplary and innovative efforts of DTS regarding Complete Streets. Motion to recommend to EAC for release for public comment (Thoene/ Kaaumoana) passed unanimously.

Chair Terry asked members, if possible, to provide written comments during the comment period on both lists, reiterating their statements of today.

Chair Terry noted that we will be ready to deal with Honolulu BWS soon, probably next meeting. Kauai DOW has not contacted us lately, nor has the CCH Facility Management. Still need to find time for CCH Parks and Recreation at some time. Would like to have AG present to help us discuss this. Member Kaaumoana is still trying to have Kauai County do an island-wide list, minus DOW. COVID-19 task have taken literally all the departments' time and energy. Chair Terry said Kauai ultimately needs to deal with the lack of current lists. Pane Meatoga of OEISF stated that paving is a big concern for his organization. He has gone through all the exemption lists. He thinks that new paving is not really maintenance. Some counties have been lax in separating maintenance and reconstruction. Member Kaaumoana asked some questions about whether paving poses a toxic hazard. Mr. Meatoga explained the paving process in detail and addressed concerns.

4. Next meeting date and agenda.

First Tuesday of December. Chair Terry stated that the Honolulu Board of Water Supply just turned in a final revised list too late for today's agenda but it will be on next month's agenda

5. Adjournment.

Chair Terry adjourned the meeting at ~10:34 AM.