



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
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Minutes for On-Line Meeting of the
State of Hawai'i, Environmental Advisory Council
Wednesday, November 3, 2021, 12:00 PM– 2:30 PM
Approved, March 1, 2022

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); Roy Abe; Stephanie Dunbar-Co; Dawn Hegger-Nordblom; Maka'ala Ka'auomoana, Robin Kaye; Tessie Kinnaman; Ron Terry; and Mahina Tuteur.

Members Absent: Michael Tulang

Staff Present: Mary Alice Evans, Director, Office of Planning and Sustainable Development; Jodi Yi, Deputy Attorney General; Sarah Chang, Coastal Zone Management Program; Leslie Segundo, Environmental Review Program

Public Present: Gordon Scruton; Masatomo Murata, State Department of Transportation (DOT); Herman Tuiolosega, DOT; Tracy Lum, DOT; Hannah Hayes, DOT; Lynette Kawaoka, DOT; Faith Caplan, DOT; and Jeyan Thirugnanam, DOT.

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

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

With a quorum present, and after introductions, Chairperson Thoene called the meeting to order at 12:04 PM. Chairperson Thoene then moved to agenda item 4, Exemptions.

2. Review and approval of prior meeting minutes

This item followed agenda item 5, below.

[http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-08-03-Environmental-Advisory-Council-Minutes-\(draft\).pdf](http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-08-03-Environmental-Advisory-Council-Minutes-(draft).pdf)

[http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-09-07-Environmental-Advisory-Council-Agenda-Minutes-\(draft\).pdf](http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-09-07-Environmental-Advisory-Council-Agenda-Minutes-(draft).pdf)

Chairperson Thoene gave the Environmental Advisory Council (EAC) time to review the minutes.

MOTION: Member Terry moved and Member Begier seconded that the EAC approve the August 3, 2021, meeting minutes. There was no discussion. Chairperson Thoene called for the vote. The motion passed with Members Dunbar-Co and Hegger-Nordblom abstaining (8-0-2).

MOTION: Member Begier moved, and Member Kaye seconded that the EAC approve the September 7, 2021, meeting minutes. There was no discussion. Chairperson Thoene called for the vote. The motion passed with Member Hegger-Nordblom abstaining (9-0-1).

Chairperson Thoene moved on to agenda item 3.

3. Report of October 5, 2021 meeting

***Lack of Quorum**

***Presentation on the 2050 Sustainability Plan by Ms. Danielle M. Bass**

Chairperson Thoene agendaized this item on the advice of counsel. There was no quorum for the October 5, 2021, meeting. Ms. Danielle Bass gave her presentation.

Mr. Terry commented that a lack of quorum means that the Environmental Council needs more members. Chairperson Thoene said that she would reach out to Ms. Sharon Ibarra of the Governor's Office. Director Evans agreed to put a brief article in the Environmental Notice on the need for new members of the EAC.

Chairperson Thoene moved on to agenda item 6.

4. Exemption Committee Update

This item followed agenda item 1.

***Discussion of and action to approve publication of City & County of Honolulu, Department of Transportation Services exemption list in The Environmental Notice for public comment**

http://oeqc2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-2021-DRAFT-DTS-Clean-for-1st-review-by-EAC.pdf

http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-DRAFT-DTS-RT-and-OT-comments-and-responses-combined-Version-2.pdf

Committee Chair Terry noted that the Committee met earlier and unanimously approved that the proposed exemption list for the City and County of Honolulu, Department of Transportation Services list be forwarded to the Council for approval for publication in the periodic bulletin. Chair Terry introduced Mr. Gregg Tsugawa. The list was based on federal categorical exclusions and their existing lists (and other agency lists). Consulted were transportation performance and development division, traffic engineering division (roadway planning), transportation mobility division (buses, rail paratransit), traffic signals division.

MOTION: Committee Chair Terry moved that the EAC approve DTS list for fifteen-day public comment in the periodic bulletin. There was no discussion. The vote was called for and the motion was unanimously approved (10-0-0).

***Discussion of and action to approve publication of State of Hawai'i, Department of Transportation exemption list in The Environmental Notice for public comment**

[http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-1_HDOT_STP-8.3281-letter-OEQC-Agency-Exempt-List101921-\(part-1\)-signed.pdf](http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-1_HDOT_STP-8.3281-letter-OEQC-Agency-Exempt-List101921-(part-1)-signed.pdf)

http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-2_HDOT_Proposed-Agency-Exempt-List-2021.pdf

http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-3_HDOT_current-Agency-Exempt-List.pdf

http://oEQC2.doh.hawaii.gov/EC_Meetings/2021-11-03-EAC-Exemption-Com-4_HDOT_RT%20MARKUP-Proposed-Agency-Exempt-List-2021.pdf

Committee Chair Terry introduced Mr. Masatomo Murata of the Statewide Transportation Planning Office who coordinated the various divisions of the Department of Transportation.

MOTION: Committee Chair Terry moved that the EAC approve DOT list for fifteen-day public comment in the periodic bulletin. There was no discussion. The vote was called and the motion was unanimously approved (10-0-0).

***Status of exemption lists in active review by the Exemption Committee**

No report on status. Chairperson Thoene moved on to agenda item 5.

5. Office of Planning Director's Report

Director Mary Alice Evans introduced Ms. Sarah Chang, Project Analyst with the Coastal Zone Management Program.

***Presentation on the Office of Planning and Sustainable Development's Ocean Resource Management Plan by Sarah Chang, CZM Project Analyst**

Ms. Sarah Chang shared her screen presentation on the Ocean Resources Management Plan (ORMP) with the EAC. She noted that the 2020 version is the fifth iteration of the plan. This iteration elevates traditional ecological knowledge in the plan and establishes three focus areas (development and coastal hazards, land-based pollution, marine ecosystems). The ORMP was recipient of APA Planning award.

After the presentation, Ms. Chang answered members' questions. Chairperson Thoene thanked Ms. Chang and Director Evans for the presentation.

Chairperson Thoene moved on to agenda item 2.

6. Information & Outreach Committee Update

***Discussion of status of forums planning**

Committee Chair Begier reported that next forum would consist of participants Scott Glenn, someone from Moloka'i Energy Hui, Keith DeMello of Ulupono Initiative, Henry Curtis of Life of the Land, and Kurt Tsui, Community Affairs Director of Hawaiian Electric. She noted that the forum is set for December 1, 2021 at 12:00 noon. A Transportation forum would probably take place in the first part of 2022.

Chairperson Thoene moved on to agenda item 7.

7. Strategic Planning Permitted Interaction Group Update

***Final report and recommendations from the Permitted Interaction Group**

Committee Chair Kaye reported that the Permitted Interaction Group (PIG) did two surveys and shared the results with the EAC. He reported that the Final recommendation is to dissolve the PIG, and to establish a strategic planning committee to plan a retreat based on survey results.

Chairperson Thoene noted that the dissolution of the PIG and the establishment of the strategic planning committee will need to wait until December.

A discussion ensued on what the proper entity (task force, ad hoc committee, another PIG) should be. Member Kaye suggested that an ad hoc committee be created to plan the retreat. Chairperson Thoene asked the EAC to consider ideas for agendizing this in December.

Chairperson Thoene moved on to agenda item 8.

8. Discussion of potential Environmental Advisory Council retreat

Member Kaye opened the discussion by asking the members to think about the following three questions. (1) What questions does the EAC want answered when the retreat is done? (2) The Sunshine Rules require retreat open to public; does that EAC want to invite specific individuals? (3) Should the EAC seek a Zoom trained retreat facilitator? Member Kaye suggested that the EAC should considering answering these questions by its next meeting.

A discussion ensued on the Sunshine Law constraints for a retreat meeting. It was noted that unfettered open public access to the retreat was an important constraint.

Noting that such a meeting would need to be well facilitated, a detailed discussion centered on funding types of facilitation and funding mechanisms needed to achieve the same.

Director Evans noted that if a permitted interaction group (PIG) is created in December, it can meet immediately to plan the retreat meeting/forum. She reminded the EAC of the three-meeting rule for PIG's: one meeting to appoint; one meeting to report; and one meeting to vote.

It was suggested that the EAC agendize both PIG and creation of the standing committee for strategic planning at the December meeting.

Chairperson Thoene then moved on to agenda item 9.

9. Rules Committee Update

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

Chairperson Thoene noted that the Rules Committee did not meet. She also noted that the Deputy Attorney General had not yet reviewed the questions the committee previously submitted. Chairperson Thoene deferred this agenda item to the next meeting.

10. Next meeting: Tuesday, December 7, 2021, 1:00 – 3:30 pm

Chairperson Thoene noted that the Exemption Committee, the Information and Outreach Committee and the Rules Committee would be meeting. The annual report and the legislative committee would also be put on the agenda for December as the Chairperson and the Legislative Committee chair plan to meet with Senator Gabbard and Representative Lowen.

Member Begier asked Chairperson Thoene to discuss Sunshine Law Compliance.

MOTION: Member Begier moved, and Member Ka'aumoana seconded that the EAC discuss how to appropriately use its time under Sunshine Law. There was no public comment or discussion. Member Dunbar-Co left the meeting leaving nine members. Chairperson Thoene called for the vote (9-0-0). The Motion did not pass in that two-thirds of the members the EAC is entitled to was not reached. Chairperson Thoene agreed to add it to the December agenda.

11. Public Forum

There was no public forum.

12. Adjournment

The meeting was adjourned at 2:10 P.M.