



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 Advisory Council
Tuesday, December 6, 2022, 1:30 PM – 3:30PM
Zoom and in person meeting:
Leiopapa A Kamehameha, Room 405
235 S. Beretania St., Honolulu, HI 96813

Josh B. Green, M.D.
Governor

Chairperson
Puananiaona Thoen

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, Jr.
Rachel Sprague
Ron Terry
Michael Tulang
N. Mahina Tuteur

Members Present

Puananiaona Thoen (Chairperson), Mary Begier (Vice-Chairperson), Roy Abe, Stephanie Dunbar-Co, Dawn Hegger-Nordblom, Makaala Kaaumoana, Robin Kaye, Tessie Kinnaman, Michele Lefebvre, Gordon Scruton, Jr., Rachel Sprague, Ron Terry, Mahina Tuteur

Members Absent

Moanaio Bjur, Michael Tulang

Staff Present

Scott Glenn (Director, Office of Planning and Sustainable Development), Alison Kato (Deputy Attorney General), Leslie Segundo (Environmental Review Program)

Public Present

None.

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

1. **Call to order, Roll Call, Introductions, Quorum**

With a quorum of 13 members present, Chairperson Thoen called the meeting to order at 1:35 PM.

2. **Office of Planning and Sustainable Development (OPSD) Director's Report (Tentative)**

Director Glenn has been appointed as the new Director for the Office of Planning and Sustainable Development (OPSD). Director Glenn reported that Governor Green's priorities are affordable housing, homelessness, and climate change.

3. **Exemption Committee Update**

▪ **Update on status of Permitted Interaction Group report**

Committee Chair Terry reported that the Exemption Committee did not have a meeting but will have an exemption list coming out next month. He also reported that the Permitted Interaction Group has met three times since its creation in September. They plan on having a report out soon regarding how to get more agencies to participate in updating or submitting exemption lists.

4. **Information & Outreach Committee Update**

Committee Chair Begier reported that the Information & Outreach Committee is doing well in their planning of the January 11, 2023 forum, titled "Clearing the Hurdles of EIS." The Zoom will open at 11:30 AM with the panel speaking from 12:00 PM – 1:00 PM.

Committee Chair Begier also reported that the next forum will be held on February 6, 2023. This forum will be in cooperation with Fish and Wildlife Services regarding information for the IPaC (Information for Planning and Consultation) requirement.

- **Discussion of revised “elevator speech” and EAC Binder description**

https://files.hawaii.gov/dbedt/erp/EC_Meetings/2022-12-06-EAC-Binder-Description-and-Elevator-Speech.pdf

Committee Chair Begier reported that Chairperson Thoene and Member Sprague worked to revise the “elevator speech.” Chairperson Thoene asked that the members read the revised version of the “elevator speech” and provide any comments/suggestions by January 3, 2023 to be considered for discussion at the January 10, 2023 EAC meeting.

- **Discussion of how and when to use “elevator speech”**

Committee Chair Begier reported that “elevator speech” can be used by the Council members as a tool to answer questions that the members’ constituents might ask about the EAC.

5. Annual Report Committee Update

- **Review and action to approve 2022 Draft Annual Report**

https://files.hawaii.gov/dbedt/erp/EC_Meetings/2022-11-29-EAC_Annual_Report_to_OPSD_FINAL.pdf

Committee Chair Dunbar-Co reported that the Committee passed the revised 2022 Annual Report. Revised changes included formatting and language. The Council unanimously approved the 2022 Annual Report as provided in the agenda point (13-0-0).

- **EAC Annual Report due to OPSD by December 7, 2022**

6. Legislative Committee Update

- **Discussion of possible legislative changes to be proposed by the EAC in the 2023 Legislative Session**

Vice-Chairperson Begier strongly supports a guidance document for Chapter 343. She stated that the document does not need to go to Legislature but should be worked on during the legislative time frame.

Member Dunbar-Co supports the Green Fee and the opportunity it provides the State. She suggests that the Council write testimony for the bill.

- **Report of Legislative Committee Chair and EAC Chair regarding potential legislative changes to be proposed by legislative leadership**

On November 30, 2022, Committee Chair Kaye and Chairperson Thoene met with Senator Gabbard and Representative Lowen. Committee Chair Kaye inquired to Senator Gabbard and Representative Lowen on their priorities in the upcoming legislative session. Senator Gabbard and Representative Lowen’s first priority is cesspool conversions. Representative Lowen also discussed energy related issues (i.e., energy efficiency, electric vehicles, and carbon tax), waste management, and Red Hill. Senator Gabbard’s priorities include establishing a cesspool section in the Department of Health, moving up the target date for the cesspool conversion, reinstating a tax credit regarding the cesspool issue, Green Fee, and recycling fee (extended producer responsibility).

Committee Chair Kaye inquired about the Department of the Environment during the meeting in which Representative Lowen stated a Constitutional amendment would need to be filed. The Constitution only allows for 20 departments.

- **Action to approve Legislative Committee Chair and EAC to provide written and/or verbal testimony on legislation in 2023 Legislative Session**

MOTION: Member Terry motioned to approve the Legislative Committee Chair and EAC to provide written and/or verbal testimony on legislation in 2023 Legislative Session. Member Kinnaman seconded the motion. There was no further discussion or public testimony. The EAC unanimously approved the motion (13-0-0).

7. Discussion of EAC Policies and Procedures

- **Review of draft policies and procedures (Version 4) and further discussion of adoption of policies and procedures, including what policies and procedures will be included and draft Committee descriptions**

https://files.hawaii.gov/dbedt/erp/EC_Meetings/2022-11-28-EAC-DRAFT-Policies-and-Procedures-Version-4.pdf

Chairperson Thoene reported that Version 4 of the draft policies and procedures includes suggestions and comments made by the members of the Council from the previous EAC meeting. Language changes will be made to the travel portion of the draft policies and procedures.

- **Discussion of procedures for media/public inquiries to the EAC**

Chairperson Thoene reported that new language has been included in the draft policies and procedures to include procedures for media/public inquiries. The new language states that the Chair or the Chair designee is the designated contact for any inquiries from the media.

- **Discussion of drafting agendas and meeting minutes**

Deputy Attorney General Kato reports that the agenda for meetings need to be specific to allow members of the public the opportunity to review what will be discussed at the meeting.

Committee Chairs should consult HRS 92-9, as it provides information on what needs to be included in meeting minutes.

- **Outstanding/revisions draft policies due on January 3, 2023 for discussion at January 10, 2023 EAC meeting**

8. Strategic Planning Committee Update

- **Report on Zoom meeting with Acting Director Mary Alice Evans**

Committee Chair Kaye reported on the meeting with Acting Director Mary Alice Evans. She is the Acting Director of OPSD and the Special Plans Branch Chief. They also discussed the travel budget and the appointment of the executive director for the Council. Acting Director Evans suggested that both of those items be listed as line items.

- **Report from Member Mahina Tuteur regarding cultural impact assessments and social justice issues/legislation**

Member Tuteur reports that she has reached out to possible stakeholders regarding cultural impact assessments and social justice issues/legislation but has not yet had any substantive discussions.

▪ **Discussion of form of future annual reports in the context of EAC strategic planning**

The Committee did not discuss the future of annual reports in the context of EAC strategic planning. They will discuss it further at the next committee meeting. Member Dunbar-Co joined the Strategic Planning Committee.

9. Next meeting: Tuesday, January 10, 2023

Any changes to the documents discussed in the above agenda points (“elevator speech,” EAC Binder description, and draft policies and procedures) need to be submitted by January 3, 2023 to be considered for the agenda discussion at the January 10, 2023 EAC meeting.

10. Next in-person meeting: To be discussed

Future discussions will be held regarding in-person meetings.

11. Adjournment

The meeting adjourned at 3:30 PM.