



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
235 SOUTH BERETANIA STREET, SUITE 702, HONOLULU, HI 96813

Phone: (808) 586-4185
Email: dbedt.opsd.erp@hawaii.gov

April 2023 Meeting DRAFT Minutes Exemption Committee

State of Hawai'i Environmental Advisory Council
Meeting Held on Tuesday, April 4, 2023, 12:00 - 1:00 PM
Via ZOOM videoconference

Josh Green, M.D.
Governor

Chairperson
Puananionaona Thoene

Vice Chair
Mary Begier

Members
Roy Abe
Stephanie Dunbar-Co
Dawn Hegger-Nordblom
Makaala Kaaumoana
Ian Robin Kaye
Theresita Kinnaman
Michele Lefebvre
Gordon Scruton, Jr.
Rachel Sprague
Ron Terry
Michael Tulang
N. Mahina Tuteur

Members Present (4): Ron Terry (Chair); Puananionaona Thoene; Michele Lefebvre; Maka'ala Ka'aumoana

Members Absent (1): Michael Tulang

Staff Present: Leslie Segundo, Planner

Public Present: Mikayla Barnwell, UH Hilo Student

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

With a quorum of four members, Ron Terry convened the meeting at ~ 12:02 PM. All present were introduced and the EAC members and Les individually said that they were alone in the room that they were in.

2. Exemption list status

Agency	Status	Next Action
LISTS		
Hawaii School Facilities Authority (SFA)	Reviewed by Committee at February meeting; revisions requested	Still awaiting resubmittal by agency.

Ron explained that he had not heard back from SFA, and he assumed they were still coordinating with DOE.

3. Review and approval of February 2023 meeting minutes.

Minutes were reviewed and Michele noticed two typos. They were fixed at the meeting and the file was updated to be sent to Les.

4. Continuing discussion on new review process.

Ron explained the rationale for the current policies, relating back to Scott's interest at the time he was OEQC Director. Then he explained the proposed revised policies and procedures changes to have a committee review first, and then invite the agency to the next meeting when we have some agreement on the comments, to make it clearer for the agencies and less chaotic. Ron explained that Michele came up with a lot of the suggestions. Onaona said that if the agency got far enough along in the process to have had the list published, we should not require a process that would kick the agency back to a stage where the agency would have to publish the list again in the Environmental Notice. Ron said he would make some draft changes

to take care of that. He would have to think about it a bit, because it is a bit like a flowchart, although verbal, not graphic. There was some discussion of how the process interacts with the agency's goal to get a concurred list. Agencies have been very cooperative about making changes advised by the Exemption Committee because of the advantages of a concurred list. Maka'ala brought up an example of a questionable exemption on Kaua'i. It demonstrated the ambiguities that can come up and the many interpretations of both the rules related to exemptions and the exemptions lists. Maka'ala said this shows that we need to keep track of novel types of actions or actions that used to be somewhat routine (like seawalls) that in the era of climate change pose more significant impacts. Ron said that he thinks the Exemption Committee has a really important function by being constantly informed in detail of what agencies are actually doing. We have to think carefully about the degree of impact these actions potentially have and how and when to analyze them in detail via an EA. For this reason, it is really important to have members with strong environmental backgrounds, as we currently have.

Onaona suggested an actual flowchart. Perhaps we could have a student intern? Les has an intern who might be interested, and he will check with her. Onaona will also check with her. Maka'ala pointed out that a flowchart would be good for the community and agencies, not just our committee. Onaona will give the intern Ron's number to get her started.

Onaona said that she was not putting the full set of revised policies and procedures on the agenda. Ron said there may be something ready in May, if there is an Exemption Committee meeting.

5. New chairperson, given expiration of Chair Terry's term on EAC in June.

Ron explained that he expected that May would be his last meeting, and so the committee will need a new chair. Would anybody like to do it? Maka'ala said she was also leaving. Onaona said we are still working on the actual time limits of everyone's ability to serve and the possibilities of holdover, so Ron and Maka'ala may be able to stay on for quite a bit longer. But in any case, Michele seems like the correct choice. Ron said she had expressed willingness. Michele then volunteered, and Maka'ala said she would be the best too. We decided by acclamation that Michele would be Chair. Onaona will report it during the EAC agenda item of committee assignments.

6. Next meeting date and agenda.

Ron said he will be gone in June, so May would be good, if School Facilities Authority sends us their list. Michele said she will be flying back from Yap May 2. So the next meeting is up in the air.

7. Adjournment.

Meeting was adjourned at 12:38 PM.