



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
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Sylvia Luke

OPSD Interim Director
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Chairperson
Puananionaona Thoene

Vice Chair
Mary Begier

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

State of Hawai'i Environmental Advisory Council
NOTICE OF HYBRID MEETING AND AGENDA
6th floor conference room, 235 S. Beretania Street, Honolulu, HI 96813
Tuesday, October 3, 2023, 1:00-3:30 pm

Members Present

Puananionaona Thoene (Chairperson), Mary Begier (Vice-Chairperson), Stephanie Dunbar-Co, Dawn Hegger-Nordblom, Makaala Kaaumoana, Robin Kaye, Tessie Kinnaman, Michele Lefebvre, Rachel Sprague, Michael Tulang

Members Absent

Ron Terry, Mahina Tuteur

Staff Present

Alison Kato (Deputy Attorney General), Jennifer Ching (Secretary, ERP), Kim Ishimoto (Analyst, Special Plans Branch), Kayli Yoshioka (Intern, ERP)

Public

Kaliko Chun (Hawaiian Homelands)

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

Materials for this agenda and minutes of this meeting will be available at specific links indicated below or at: <https://planning.hawaii.gov/erp/ec-meetings/>. Meeting recording may be viewed at: https://www.youtube.com/watch?v=-kE13_IS5r8

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

With a quorum of 9 members present, Chairperson Thoene called the meeting to order at 1:02 PM.

2. **Office of Planning and Sustainable Development (OPSD) Interim Director's Update**

None.

3. **Review and adoption of meeting minutes**

▪ **September 2023 meeting minutes**

https://files.hawaii.gov/dbedt/erp/EC_Meetings/2023-09-06-Environmental-Advisory-Council-Minutes-draft.pdf

MOTION: Member Kaye moved to approve the meeting minutes. Member Sprague seconded the motion. There was no further discussion or public testimony. The EAC unanimously approved the motion (9-0-0).

4. **Information & Outreach (I&O) Committee Update**

▪ **Discussion of and planning for future forums; I&O Committee request to EAC for forum topics**

Committee Chair Begier reported that the next forum would be centered around exemptions. She noted that in the previous Council meeting, there was interest in a forum about the Governor's Emergency Proclamation Relating to Housing (EP). However, she suggested that they instead keep the topic of the EP on their radar for a possible forum but wait till more information is available.

Member Hegger-Nordblom also reported that the Committee is looking for members to join, as a few members have vacated the position following the end of their terms.

Member Lefebvre clarified from the previous meeting that the forum relating to exemptions could relate more towards how the public can provide meaningful engagement through public comments. Member Kaaumoana agreed with the suggestion made by Member Lefebvre that public engagement would be beneficial. She commented that the agencies could also benefit from the topic of commenting and public engagement.

Member Kaye also suggested that a relevant topic could be about whether the State should have a Department of the Environment. He clarified that it might not necessarily be a topic that is discussed at the next forum but is something that the Council may want to eventually explore.

Chairperson Thoene suggested that if these topics are to be explored, it may be more beneficial to hold a workshop rather than a forum. Committee Chair Begier suggested that they conduct the forum in multiple stages. The first step could be a Zoom meeting on how to make comments and how to be heard. The following meetings could lead to the last step which would be in-person, possibly at the University of Hawaii William S. Richardson School of Law with a few of the law students during spring break.

The exemption forum will be tentatively scheduled for the 2nd week of December.

5. Exemption Committee Update

▪ Status of review of agency exemption lists

Committee Chair Lefebvre reported that they received an exemption list from the County of Hawaii, Office of Housing and Community Development. An Exemption Committee meeting will be held in November to discuss the list.

6. Annual Report (AR) Committee Update

▪ AR Committee request to EAC committees for summary of 2023 work and achievements to be compiled into the EAC's 2023 Annual Report

Committee Chair Dunbar-Co reported that following the March 2023 meeting, it was decided that the 2023 Annual Report would follow the same format as the 2022 Annual Report. This will include a summary by each of the standing committees of the Council on what was accomplished throughout the year. It was also decided that the Committees could end the summary with a quick guiding statement (e.g., recommendations, lessons learned, etc.).

Member Tulang joined the meeting at 1:32 PM. Quorum is 10 members.

- **Discussion of timeline for finalizing 2023 Annual Report**

Chairperson Thoene asked the committee chairs to submit their summary to Committee Chair Dunbar-Co ahead of the November Council meeting. Committee chairs will need to submit their summary by October 23rd.

Chairperson Thoene requested from ERP what the deadlines are for OPSD regarding dates for when the Annual Report will need to be finalized. Information will be provided at the next meeting.

7. Strategic Planning Committee (SPC) Update

- **SPC request to EAC for SPC priorities to focus on in the next year (e.g., legislation)**

Committee Chair Kaye requested that the Council members provide suggestions for what they would like the SPC to prioritize for the coming year.

Member Kaaumoana inquired as to whether there was verbiage as to why it was necessary to have another department (relating to the proposed Department of the Environment). Chairperson Thoene replied that in previous legislative sessions there were various bills that provided brief reasonings for having another department. Committee Chair Kaye commented that in the State Constitution, there may be a limit as to the number of departments the State can have.

Committee Chair Kaye reported that there was a recommendation that the SPC focus on the topic of having a Department of the Environment. Committee Chair Kaye stated that he will put together information regarding the previous legislative bills for the proposal of a Department of the Environment.

In the chat, Deputy Attorney General Kato provided a list of bills from 2023 that related to the Department of the Environment: HB196, HB1317, SB1597.

Chairperson Thoene inquired to the members of the Council as to whether there were any specific topics that they would like to be discussed for the upcoming legislative session.

Member Kaaumoana suggested that they address the issues around the Division of Boating and Ocean Recreation (DOBOR). She stated that the issue is that DOBOR is issuing permits to areas that cannot handle the usage.

Member Hegger-Nordblom also suggested that they have a discussion regarding Council member's terms and how to get new members onto the Council.

8. Discussion regarding Governor Green's Second Emergency Proclamation (EP) Relating to Housing dated September 15, 2023

Second EP: <https://governor.hawaii.gov/wp-content/uploads/2023/09/2309120.pdf>

Changes to EP: <https://governor.hawaii.gov/newsroom/governor-green-updates-emergency-proclamation-on-housing/>

Original EP: <https://governor.hawaii.gov/wp-content/uploads/2023/07/2307072-1.pdf>
<https://governor.hawaii.gov/wp-content/uploads/2023/07/EP-Guidebook-Final-1.pdf>

<https://governor.hawaii.gov/chiefhousingofficer/emergency-proclamation-relating-to-housing/>

Chairperson Thoene reported the 2nd EP restores Chapter 343 review.

Member Kaye inquired to Chairperson Thoene about the lawsuit that was filed in regard to the EP and if there was any representative that might be able to speak to the Council to provide them with more information. Chairperson Thoene responded that she will put this topic on the agenda for the November meeting and will try to reach out to see if a speaker will be available for the next Council meeting.

9. Discussion of EAC Member Terms

https://files.hawaii.gov/dbedt/erp/EC_Meetings/Environmental-Advisory-Council-Terms-2023-rev.-9.26.23.pdf

There are multiple members with terms ending in 2024. Chairperson Thoene requested that exiting members recruit new members to fill vacancies.

Interested members will need to apply through Boards and Commission.

10. Next Meeting: Tuesday, November 7, 2023

11. Reminders:

- **2023 Financial Disclosures**
- **Ethics Training**
- **Send all ERP correspondence to dbedt.opsd.erp@hawaii.gov**

12. Adjournment

The meeting adjourned at 2:18 PM.