



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

State of Hawai'i Environmental Advisory Council

NOTICE OF HYBRID MEETING AND AGENDA

Via Zoom and in person at

6th floor conference room, 235 S. Beretania Street, Honolulu, HI 96813

Tuesday, March 5, 2024, 1:00 PM – 3:30 PM

Governor
Josh Green, M.D.

Lt. Governor
Sylvia Luke

OPSD Interim Director
Mary Alice Evans

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
Michael Tulang

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/>

1. Call to order, Roll Call, Introductions, Quorum
2. Office of Planning and Sustainable Development (OPSD) Interim Director's Update
3. Review and adoption of meeting minutes
 - February 2024 meeting minutes
https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-02-06-Environmental-Advisory-Council-Minutes-draft.pdf
4. Exemption Committee Update
 - Committee update to EAC regarding review of agency exemption lists
5. Report of the Permitted Interaction Group (PIG) on exemptions to the EAC
 - Review and discussion of PIG report and recommendations
https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-02-06-EAC-PIG-report-to-EAC-re-exemptions.pdf
 - Review and discussion of public comment on PIG report and exemptions
https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-03-05-EAC-PIG-Exemption-recommendations-RTerry.pdf
6. Information & Outreach (I&O) Committee Update
 - Discussion of and planning for future forums
7. Legislative Committee
 - Discussion of and potential action on Selected 2024 legislative matters:
 - SB 3047 - Codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria [See HB 2358]
https://www.capitol.hawaii.gov/sessions/session2024/bills/SB3047_SD1_.pdf
 - HB 2358 - Codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria. [See SB 3047]
https://www.capitol.hawaii.gov/sessions/session2024/bills/HB2358_HD1_.pdf

- HB 1629 - Requires contested cases or environmental impact statement cases involving renewable energy, except cases involving incineration, to be appealed from an agency's decision directly to the Hawai'i Supreme Court for final decision. Requires the cases to be prioritized and decided expeditiously https://www.capitol.hawaii.gov/sessions/session2024/bills/HB1629_HD1_.pdf
- HB 2798 - Amends the types of proposed power-generating facilities that trigger an environmental assessment to include new combustion electricity-generating facilities operating commercially after 1/1/2024 that were not previously operational and certain expansions in generating capacity of existing combustion electricity-generating facilities. Effective 7/1/3000. (HD1) https://www.capitol.hawaii.gov/sessions/session2024/bills/HB2798_HD1_.pdf

Discussion and potential action on the EAC's positions on other bills relevant to the EAC for the 2024 legislative session

https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-03-05-EAC-Legislative-Com-2024-Bills-re-environment.pdf

8. Strategic Planning Committee Update

- One of the Council's statutory roles under HRS §341-6 is to serve “as a liaison between the office of planning and sustainable development and the general public by soliciting information, opinions, complaints, recommendations, and advice concerning ecology and environmental quality[.]”
Discussion and/or action on strategies that might be employed by the EAC for fulfilling its role to serve as a liaison between OPSD and the public on matters concerning ecology and environmental quality, including the offering of recommendations to OPSD.

9. Next meeting: Tuesday, April 2, 2024 TBD

10. Reminder: Send all ERP correspondence to dbedt.opsd.erp@hawaii.gov

11. Adjournment

This meeting will be held via interactive conference technology (ICT) as authorized by Act 220, Session Laws of Hawaii 2021 and Chapter 92-3.7, Hawaii Revised Statutes (HRS).

Members of the public are invited to participate through Zoom:

<https://us06web.zoom.us/j/83859027183?pwd=NWOcyvGLC0TtQhIQwman3GiXkaqtGb.1>

Meeting ID: 838 5902 7183

Passcode: 010008

+16694449171,,83859027183# US

Persons may attend via interactive conference technology by coming, in person, to: Leiopapa A Kamehameha, 6th floor conference room, 235 S. Beretania St., Honolulu, HI 96813, telephone (808) 586-4185. See below for more information on entering government buildings.

INDIVIDUALS REQUIRING SPECIAL ASSISTANCE OR AUXILIARY AIDS OR SERVICES (e.g., sign language interpreter, captioner, computer-assisted note taker, wheel chair accessibility, parking designated for the disabled or other accommodation): Any individual needing an auxiliary aid/service or other accommodation due to a disability, contact the Environmental Review Program office at 808-586-4185 and dbedt.opsd.erp@hawaii.gov as soon as

possible, preferably at least three working days prior to the meeting. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/ accessible formats.

Note: The Committee may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a), HRS, without noticing the executive session on the agenda where the executive session was not anticipated in advance. The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. The reason for holding the executive session shall be publicly announced and the vote of each member on the question of holding a meeting closed to the public shall be recorded and entered into the minutes of the meeting. HRS Sections 92-4, 92-5(a) and 92-7(a).

Note: Public testimony will be accepted on each agenda item.

Members of the public may submit written testimony on any agenda item via e-mail to dbedt.opsd.erp@hawaii.gov or via postal mail to: Environmental Advisory Council, Office of Planning and Sustainable Development, Department of Business, Economic Development and Tourism, 235 S. Beretania St., Room 702, Honolulu, HI 96813. Please include the word "testimony", the agenda item number, and subject matter following the address line. All written testimony should be received no later than 9:00 am one business day prior to the meeting date so that it may be distributed to EAC members prior to the meeting. Testimony received after that time will be distributed to the EAC members at the meeting.

For Public Internet access: To view the meeting and provide live oral testimony during the meeting, please use the above link. You will be asked to enter your name in order to access the meeting as an attendee. The Committee requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will be asked for an email address. You may fill in this field with an entry in an email format, e.g., ***@**mail.com. As an attendee, your microphone will be automatically muted during the meeting unless you are providing testimony. The Chair will call for public testimony during the meeting. For each agenda item you wish to testify on, please click the Raise Hand button found on your Zoom screen. Committee staff will individually enable each testifier to unmute their microphone. When recognized by the Chair, please unmute your microphone before speaking and mute your microphone after you finish speaking in order to prevent audio feedback. When testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to two minutes of testimony per agenda item.

For Public Phone access: You may get audio-only access by calling the Zoom Phone Number listed above on this agenda. Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed above on this agenda. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. When the Chair asks for public testimony, you may indicate that you want to testify by entering "*" and then "9" on your phone's keypad. After entering "*" and then "9", a voice prompt will let you know that the host of the meeting has been notified. When recognized by the Chair, you may unmute yourself by pressing "*" and then "6" on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter "*" and then "6" again to mute yourself.

For both internet and phone access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. If you wish to remain anonymous, you may state this. *Each testifier will be limited to two minutes of testimony per agenda item.*

If connection is lost, the meeting may reconvene when either audiovisual communication or audio-only communication is established within thirty minutes. The public may access the reconvened meeting by clicking the link again or calling (808) 586-4185.

If it is not possible to reconvene the meeting within 30 minutes after an interruption, then check the agency's website for information as to whether the meeting will be continued to an alternative date and time, or the meeting may be terminated.