



# 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](mailto:dbedt.opsd.erp@hawaii.gov)

## MINUTES

### State of Hawai'i Environmental Advisory Council NOTICE OF HYBRID MEETING AND AGENDA

Via Zoom and in person at

6<sup>th</sup> floor conference room, 235 S. Beretania Street, Honolulu, HI 96813

Tuesday, May 7, 2024, 1:00-3:30 pm

*Governor*  
Josh Green, M.D.

*Lt. Governor*  
Sylvia Luke

*OPSD Director*  
Mary Alice Evans

*Chairperson*  
Puananionaona Thoene

*Vice Chair*  
Mary Begier

*Members*  
Stephanie Dunbar-Co  
Dawn Hegger-Nordblom  
Ian Robin Kaye  
Theresita Kinnaman  
Michele Lefebvre  
Rachel Sprague  
Michael Tulang

#### **Members Present**

Puananionaona Thoene (Chairperson), Robin Kaye, Tessie Kinnaman, Michele Lefebvre, Rachel Sprague, Michael Tulang

#### **Members Absent**

Mary Begier (Vice Chairperson), Stephanie Dunbar-Co, Dawn Hegger-Nordblom

#### **Staff**

Mary Alice Evans (OPSD Director), Alison Kato (Deputy Attorney General), Tom Eisen (Planner, ERP), Kayli Yoshioka (ERP), ERP Staff

#### **Public Present**

Jiaping Fouse (State of Hawai'i School Facilities Authority)

Note: **Bolded** items 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/eac-meetings/>. Meeting recording may be viewed at:

<https://www.youtube.com/watch?v=nP-txB9N1w&t=1183s>

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

With a quorum of 6 members present, Chairperson Thoene called the meeting to order at 1:01 PM.

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

Director Evans introduced Kayli Yoshioka as the new Environmental Health Specialist for the Environmental Review Program (ERP).

Director Evans also expressed gratitude towards the members that will be leaving the Council soon as their term comes to an end. She thanked them for the tremendous work and advice they have provided to the Council.

Director Evans reported that the legislative session adjourned on May 3<sup>rd</sup>. She further stated that there are some bills still being tracked by OPSD. One bill will be an update to the Hawai'i State plan. If the Governor signs the bill into law, there will be one position and some program funds to carry out the goal of updating the State plan. Another bill is one that will update the tourism functional plan which

falls under the State plan law. This will involve cooperation between OPSD and the Hawai'i Tourism Authority.

### 3. Review and adoption of meeting minutes

- **April 2024 meeting minutes**

[https://files.hawaii.gov/dbedt/erp/EC\\_Meetings/2024-04-02-Environmental-Advisory-Council-Minutes-draft.pdf](https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-04-02-Environmental-Advisory-Council-Minutes-draft.pdf)

MOTION: Member Kinnaman moved to approve the April 2024 meeting minutes as circulated. Member Kaye seconded the motion. There was no further discussion or public testimony. The EAC unanimously approved the motion (6-0-0).

### 4. Exemption Committee Update

- **Review of State of Hawai'i School Facilities Authority exemption list and action to approve publication of the SFA list in *The Environmental Notice* for a 15-day public comment period**

[https://files.hawaii.gov/dbedt/erp/EC\\_Meetings/2024-05-07-EAC-Exemption-Com-SFA-Exemption-List-Final-Revised.pdf](https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-05-07-EAC-Exemption-Com-SFA-Exemption-List-Final-Revised.pdf)

Committee Chair Lefebvre provided an overview of the State of Hawai'i School Facilities Authority exemption list. The committee provided a suggestion for a revision to the list two meetings ago and the State of Hawai'i School Facilities Authority has since provided a revised edition of the list. The committee brought forth a motion to the Council recommending that the list be published for a 15-day public comment period.

MOTION: Motion to approve the State of Hawai'i School Facilities Authority exemption list for publication in *The Environmental Notice* for a 15-day public comment period was unanimously approved (6-0-0).

- **Committee update to EAC regarding review of agency exemption lists**

Committee Chair Lefebvre reported that the committee has a pending list with DHHL. The committee proposed a large structural change to DHHL's exemption list in a previous committee meeting. The committee is waiting for the list to be revised.

Chairperson Thoene also reported that Committee Chair Lefebvre will go through the list of agencies that have updated their list and those that haven't and decide as to whether they will need to be contacted to update the list. The committee will also review the Exemption Guidance and provide revisions.

### 5. Information & Outreach (I&O) Committee Update

- **Discussion of and planning for future forums**

Members of the committee were not present. Member Lefebvre reported that she was in communication with Member Hegger-Nordblom to see if a forum about exemptions could be held at HCPO. However, the application period had closed.

Chairperson Thoene inquired as to whether there was any movement regarding an exemption forum. Member Lefebvre reported that they have not scheduled a forum.

### 6. 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[.]” Continued discussion of and potential action on what strategies and procedures might be employed by the EAC to fulfill this role, including the offering of recommendations to OPSD.**
- **Discussion of potential process to assess the environmental impacts of affordable housing/housing projects or other developments completed pursuant to an emergency proclamation, how to move forward with such projects that may not have had an initial environmental review, options for rapid assessments, how to complete after-the-fact environmental review, and how these developments could continue (e.g., as nonconforming uses, or otherwise)**

Director Evans reported that the Governor has continued to extend the Emergency Proclamation regarding the wildfires. She reports that the exemptions, as needed, will address the impacts. She further elaborated those requirements will tend to be at federal level.

Director Evans reports that Maui County has opened an expedited permit with a vendor called Fourleaf which worked on the Paradise, California wildfire. 300 house lots have been cleared by the FEMA and EPA vendors. The testing for toxic substances has been completed for the cleared lots and the results indicate that they are clean. She further reports that the process is shaping up to be a record, but it isn't yet a complete process for an expedited environmental impact disclosure.

Chairperson Thoene inquired as to whether there have been any discussions on issuing a certificate of occupancy or anything similar, to show that permitting was allowed. Director Evans stated that the county intends to issue building permits. This would pave the way for a certificate of occupancy. She does not think that they currently have the capacity to support the expedited permitting vendor. It is likely that they will get support for building permits which will lead to certificates of occupancy and would also go into the project file record.

- **Discussion of list of action items to be completed by EAC in FYE2024 (e.g., updated exemptions guidance), and transition guidelines and protocols for new Council members**  
[https://files.hawaii.gov/dbedt/erp/EC\\_Meetings/2024-05-07-EAC-DRAFT-Policies-and-Procedures-ver.8-2024-04-29.pdf](https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-05-07-EAC-DRAFT-Policies-and-Procedures-ver.8-2024-04-29.pdf)  
[https://files.hawaii.gov/dbedt/erp/EC\\_Meetings/2024-05-07-OEQC-Procedures-and-Checklist-for-Forums-8-3-21-Draft-Revisions-from-IO-Approved-by-EAC-Rev.2024-04-29.pdf](https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-05-07-OEQC-Procedures-and-Checklist-for-Forums-8-3-21-Draft-Revisions-from-IO-Approved-by-EAC-Rev.2024-04-29.pdf)  
[https://files.hawaii.gov/dbedt/erp/EC\\_Meetings/2024-05-07-EAC-Proposed-Procedures-for-Exemption-Lists-Ver.5-2024-04-29.pdf](https://files.hawaii.gov/dbedt/erp/EC_Meetings/2024-05-07-EAC-Proposed-Procedures-for-Exemption-Lists-Ver.5-2024-04-29.pdf)

Director Evans complimented the Council and ERP staff for the work that was done for these documents.

MOTION: Motion to approve the updated Policies and Procedures documents as circulated. Member Kinnaman motioned to approve. Member Kaye seconded the motion. There was no further discussion or public testimony. The EAC unanimously approved the motion (6-0-0).

**7. Next meeting: Tuesday, June 4, 2024 TBD**

Due to issues with a potential lack of quorum, the June meeting is tentatively scheduled.

The Council is currently waiting for Boards and Commissions to appoint new members.

**8. Reminders:**

▪ **Annual financial disclosures due May 31, 2024**

The Council needs to do financial disclosures for this year, but moving forward they will not need to since the Council is advisory in nature.

▪ **Upcoming Native Hawaiian Law Training through Ka Huli Ao: Wednesday, May 15, 2024 and Wednesday, May 22, 2024 (registration by May 8, 2024)**

The Native Hawaiian Law Training is mandatory for all members of the Council.

▪ **Send all ERP correspondence to [dbedt.opsd.erp@hawaii.gov](mailto:dbedt.opsd.erp@hawaii.gov)**

**9. Adjournment**

The meeting adjourned at 1:51 PM.