



# STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,  
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII  
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## July 2024 Meeting Minutes

### Exemption Committee

#### State of Hawai'i Environmental Advisory Council

Meeting Held on Tuesday, July 2, 2024, 12:00 - 1:00 PM

Via ZOOM videoconference

*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  
Ian Robin Kaye  
Theresita Kinnaman  
Michele Lefebvre  
Rachel Sprague

Members Present (2): Michele Lefebvre (Chair); Puananionaona Thoene, Dawn Hegger-Nordblom

Staff Present: Mary Alice Evans, Kayli Yoshioka, Jen Ching

Members of the Public Present: Roy Ikeda (DOE), Brenda Lori (DOE), Gaylyn Nakatsuka, Tammy Nochi (DOE)

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

With three members present, Michele Lefebvre convened the meeting at 12:13 PM. All present were introduced.

2. Exemption list status

Agency	Status	Next Action
LISTS		
Department of Hawaiian Homelands	Received 01/12/2024. Waiting to hear back from DHHL.	No action this meeting.
State of Hawaii, School Facilities Authority	Received 03/08/2024. List published in TEN 05/23/2024.	Review any public comments received.
State of Hawaii, Department of Education	ERP Received 04/10/2024, ExComm Received List 05/24/2024.	Internal committee discussion.

### Department of Hawaiian Home Lands

No further discussion, waiting to hear back from DHHL on suggested revisions to the list to focus the list on agency actions rather than homeowner or lessee actions.

### State of Hawaii, School Facilities Authority

The SFA exemption list was published in The Environmental Notice (TEN) on 5/23/2024 and no public comments were received by ERP during the 15-day comment period. The final day for comments was 06/07/2024. Since no comments were received, Michele made a motion for the committee to recommend the list be taken to the full Council for concurrence. Onaona seconded the motion, the motion passed unanimously.

## State of Hawaii, Department of Education

The following comments on the DOE list were discussed:

- Discussed updating the date to this year.
- Recommended updating references from the Environmental Council to the Environmental Advisory Council (on pages 1 and 2).
- Discussed Part 1, Type 1, Number 2.J. Consider either revising any lighting exemption to include clarify that it would be in compliance with the statute – Section 201-8.5, HRS, Night Sky Protection Strategy, or put in a note up front in the list that references the statute.
- Discussed whether Part 1, Type 3, Number 3: Erosion control, slope stabilization, and rock fall control should be Part 2. The committee asked about how extensive DOE's slope stabilization and rockfall measures would be under this exemption. DOE clarified that they don't do much stabilization work, but suggested clarifying that for Part 1 they could qualify this exemption to be under 150 linear feet or under 10,000 square feet and add a Part 2 exemption for greater than 150 linear feet and over 10,000 square feet.
- Discussed adding size limit for Part 1, Type 3, Number 6.H.: Open performing areas to clarify these would not be large structures. DOE thinking it would be opening areas or maybe a few rows of seating (e.g., hula mounds). If DOE were to construct a stage with a covering, then it would fall under shade structure (not enclosed).
- Discussed portable structures in Part 1, Type 3, Number 6.E. DOE explained that it could be for classrooms measuring approximately 924 x 40 feet in area, or for May Day performances that could be temporary. These would in areas that are already graded.
- Discussed what type of facilities fall under Part 1, Type 3, Number 6.N. other appurtenance structures, DOE explained it was often small infrastructure items like sewer pump stations.
- Discussed adding size limit or areas for Part 1, Type 4, Numbers 1 and 2. DOE explained it would be on campuses usually in areas previously disturbed and overgrown, and could clarify that it would be apply to areas under an acre. Any clearing, grading or grubbing over an acre would trigger the need for an ND PES permit, and could be added as a Part 2 exemption.
- Discussed historically significant trees portion of Part 1, Type 4, Number 1 from the 2006 list. DOE said they could add this under the Part 2 exemption.
- Discussed that sprinkler or irrigation systems are captured under Type 3, Number 1.5, utility systems (rather than Part 1, Type 4).
- Discussed clarifying size in Part 1, Type 6 (e.g., lanai) to under 5,000 square feet. Larger sized projects (over 5,000 square feet) could go under Part 2, Type 6 (e.g., larger buildings or structures).
- Discussed the kind of zoning variances DOE requests for Part 1, Type 7 is most commonly height variances. In the past, there were variances for parking variances but not as many lately.
- Discussed that there was no exemptions were listed under Part 1, Type 9. DOE explained that acquisition of land is pursued for campus expansion, but this type is tied to provision for affordable housing. Any teacher housing would fall under SFA.

- Discussed which projects where Part 2, Type 2, Number 2 may apply. DOE could remove that item since the work they do is on DOE land, and it's not really applicable to the kind of projects they do.
- Discussed adding more detail and sizing for Part 2, Type 3. Discussed whether pools should be added to the exceptions with gymnasiums, auditoriums, and cafeterias. DOE explained they haven't built many pools in the last few years, and have done more pool removals because of the cost of upkeep. DOE explained that they didn't want to limit the size of classrooms they could build since it would all occur within the existing footprint of the campus.

Michele explained to DOE that the next steps would be for us to discuss via email the remaining couple of comments left to discuss, then DOE could submit a revised list, then the Exemption Committee would pass the list to the larger Council for publication of a 15-day public comment period

### 3. Adjournment.

The meeting was adjourned at 1:03 PM.