



The **Environmental** *Council*

Annual Report
2019

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DLNR





Chair's Message

PUANANIONAONA "ONAONA" THOENE

2019 was another exciting and busy year for the Council. Since 2016 when Governor Ige appointed a full Council, the Council and the Office of Environmental Quality Control (OEQC) worked relentlessly to update Hawai'i

Administrative Rules (HAR), Title 11, Chapter 200, the Environmental Impact Statement Rules. The Council thanks Governor Ige, the Hawai'i State Legislature, OEQC, the Department of Health, and the many State and County agencies and members of the public who participated in this process which resulted in a successful rulemaking effort.

In December of 2018, the Council approved the final updated rules package for review and approval by Governor Ige. Governor Ige approved the updated rules, HAR Title 11, Chapter 200.1 (EIS Rules) on July 30, 2019, and the EIS Rules became effective on August 9, 2019. As of May 8, 2020, two Environmental Impact Statements and 41 Environmental Assessments have been initiated under the new rules.

The most immediate changes in the new rules affect State and County agencies. The first requires agencies to review their existing exemption lists (if they have one) and to separate the items listed into Part 1 (*de minimis* actions) and Part 2 (actions requiring an exemption notice). The second requires agencies to submit their Part 2 list to OEQC monthly for publication in the Environmental Notice. Knowing that these amendments would cause immediate operational changes, prior to the EIS Rules going into effect, OEQC and members of

the Council held several informational sessions on the nuts and bolts of the new rules, as well as outreach sessions with State and County agencies to assist with the transition to the new rules. The Council also assisted OEQC in preparing exemption guidance for use by the agencies during this process.

In addition to completing rulemaking, the Council and OEQC also organized an invasive species and biosecurity forum in cooperation with the State Department of Land and Natural Resources and the University of Hawai'i William S. Richardson School of Law. The forum, featuring leading experts on this critical issue, can be viewed at: <https://vimeo.com/showcase/5886423>. The Council also organized an informative brown bag forum on the protection of seabirds. Both forums were well attended by members of the public and agency staff.

A big change for the Council this year was losing Scott Glenn, former Director of the OEQC and Council member as he took up a new role as the Chief Energy Officer for the Department of Business, Economic Development and Tourism's Hawai'i State Energy Office. The Council sends a warm mahalo nui loa to Scott for his invaluable work in creating a process that encouraged multiple levels of public, stakeholder, and agency outreach in the rules update process and being the driving force in keeping the Council united and on-task to complete rulemaking. We could not have done it without you.

Looking forward to 2020, the Council continues to assist the OEQC in drafting guidance for the new rules and looks forward to working with the new OEQC Director.

Director's Message

KEITH KAWAOKA



The year 2019 marked a transition for the Director of the Office of Environmental Quality Control (OEQC), Scott Glenn. In September, Governor Ige announced he was appointing Scott to head the Hawaii State Energy Office (HSEO) as its Chief Energy Officer.

The Environmental Council recalls fondly that Scott, who served as OEQC Director since November, 2015, was masterful at multi-tasking, setting the bar high for the volunteer efforts conducted by the Council. He succeeded in updating much of the online data housed by OEQC, making it much easier to navigate. Despite continual challenges with staff shortages and office funding, he found ways to balance office tasks, advise the Governor and staff on the environment, climate change, energy and other matters, and lead the Environmental Council in a major accomplishment: the two-year process of revising Hawaii Administrative Rules Chapter 11-200.1.

That section of the State's Administrative Rules applies to the implementation of HRS Chapter 343, and had not been updated since 1996. Scott took a tech-savvy approach and established an open, transparent process that invited comments and input at every stage of the process. The governor signed those rules last July, and they went into effect on August 9, 2019. The arduous efforts of Director Glenn, the Council and others may be tracked here on a Timeline posted on the OEQC website: <https://health.hawaii.gov/oeqc/rules-update/>

During his nearly four-year tenure as Director, Scott helped refine OEQC internal operations by providing a new logo, redesigning The Environmental Notice

to emphasize its focus on the projects and programs undergoing environmental review, and digitizing documents to support the governor's paperless initiative. Notably, he supported Governor Ige in fully appointing the Environmental Council for the first time in many years, with capable, skilled volunteers from across the state, ensuring representation from each of the main islands.

"Members of the Environmental Council were surprised, but not shocked that someone with Scott's skill set, drive and vision would accept a new role in helping to guide our State's renewable energy future," stated Robin Kaye, Legislative Committee Chair. "We believe the Governor chose wisely, and we wish him well in his new role."

Deputy Director of Environmental Health, Keith Kawaoka, was selected to serve as Interim OEQC Director for the remainder of the year, and until the Legislature approves a nominee to serve in this role.

Hawai'i Green Growth

JENNIFER-PALLIAN | UNSPLASH

Aloha + Challenge Overview

The Aloha+ Challenge: He Nohona 'Ae'ōia, A Culture of Sustainability, is Hawai'i's locally and culturally driven framework to achieve the United Nation's Sustainable Development Goals (SDGs), as measured on an open-data Dashboard to provide accountability, transparency, and inform action. The Aloha+ Challenge provides unprecedented statewide political coherence on sustainability and climate priorities through the 2030 goals which include clean energy transformation, local food production, natural resource management, solid waste reduction, smart and sustainable communities, and green workforce and education.

The Aloha+ Challenge was launched in July 2014, one year prior to the adoption of the UN's SDGs in September 2015, and is jointly led by the Governor, four County Mayors, the State Legislature, Office of Hawaiian Affairs, the U.S. Congressional delegation, and the Supreme Court with statewide business and civil society partners. The Aloha+ Challenge, inspired by Global Island Partnership (GLISPA), was announced internationally during the WorldWide Voyage by Hōkūle'a at the 2014 UN Small Island Developing States Conference in Samoa as the U.S. Commitment to the Samoa Pathway.

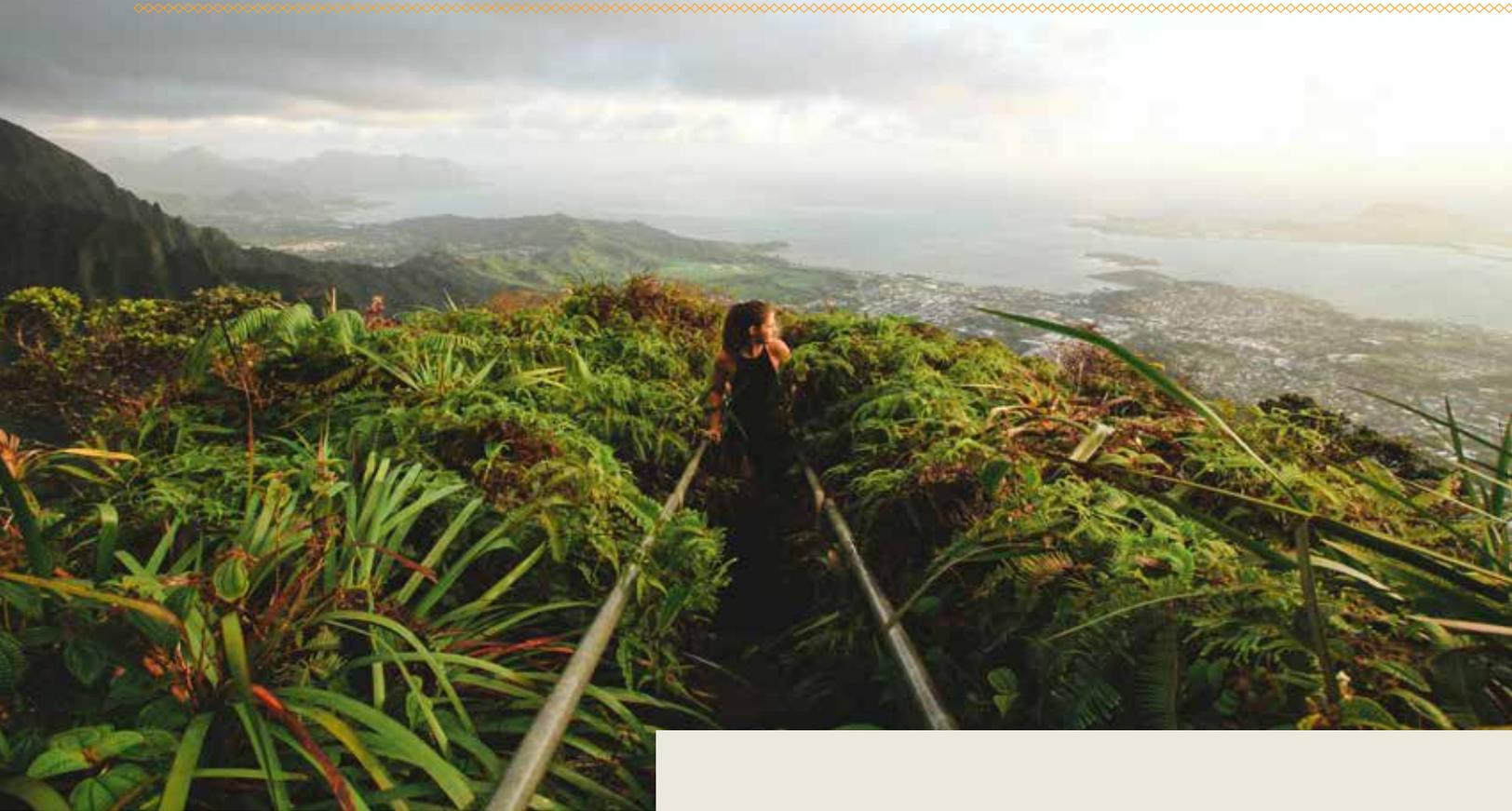
Progress on the statewide goals is measured through an open-data platform, the Aloha+ Challenge Dashboard, to provide accountability and transparency. The Dashboard informs data-driven policy, and engages communities through innovative citizen science



initiatives to inspire local action and shift behavior on the SDGs. Local targets, metrics, and indicators tracked on the Dashboard were developed through a multi-year stakeholder engagement process led by Hawaii Green Growth (HGG). The Dashboard is a unified platform for communities to highlight their success stories and engage directly in developing sustainability solutions on the SDGs, and serves as a “use case” for integrating community-level indicators into national and international sustainable development metrics.

The Aloha+ Challenge positioned Hawai'i as a leader on the SDGs regionally and globally, and led to the UN's recognition of the HGG network as one of the world's first Local2030 Hubs. The HGG Local2030 Hub is a statewide network that brings together diverse stakeholders committed to economic, social and environmental priorities. The HGG public-private partnership formed in response to the 2011 Asia Pacific Economic Cooperation (APEC) Summit hosted in Honolulu, and co-developed the Aloha+ Challenge and open-data Dashboard. To achieve impact, HGG advances innovative policy and financing strategies; technology and open-data initiatives; resilient and green infrastructure solutions; educational pathways that support the next generation of leaders; and develops local solutions to global sustainability challenges, building on island culture, values and indigenous knowledge.

State Agency Environmental Summaries and Conclusions



JEREMY BISHOP | UNSPLASH

Introduction

This edition of the Environmental Council’s Annual Report for 2019 represents a significant shift in format from past reports. In past years, annual reports have adopted a report card format, and more recently, have incorporated essays by council members and other contributors on environmental issues that have come before the Environmental Council.

It is the statutory duty of the Environmental Council to, “monitor the progress of the state, county and federal agencies in achieving the state’s environmental goals and policies.” [HRS § 341-6].

HRS §341-6 Functions of the Environmental Council

The council shall serve as a liaison between the director and the general public by soliciting information, opinions, complaints, recommendations, and advice concerning ecology and environmental quality through public hearings or any other means and by publicizing such matters as requested by the director pursuant to section 341-4(b)(3).

The council may make recommendations concerning ecology and environmental quality to the director and shall meet at the call of the council chairperson or the director upon notifying the council chairperson.

The council shall monitor the progress of state, county, and federal agencies in achieving the State’s environmental goals and policies and with the assistance of the director shall make an annual report with recommendations for improvement to the governor, the legislature, and the public no later than January 31 of each year. All state and county agencies shall cooperate with the council and assist in the preparation of such a report by responding to requests for information made by the council.

The council may delegate to any person such power or authority vested in the council as it deems reasonable and proper for the effective administration of this section and chapter 343, except the power to make, amend, or repeal rules.

Methodology

The Council's Annual Report Committee drafted questions to solicit responses and determine environmental goals, progress and challenges from five state agencies. Those agencies are: the Department of Transportation (DOT); the Department of Accounting and General Services (DAGS); the Department of Land and Natural Resources (DLNR); the Department of Health (DOH); and Hawaii Tourism Authority (HTA).

In November, 2019, interviews were conducted with representatives of the five State agencies. Responses were transcribed and summarized, and transmitted to the full Environmental Council for review. The agency responses revealed that most, if not all of the agencies, faced common challenges such as the need for more staffing and funding. In the coming year, the Council expects to expand its monitoring to include both County and Federal agencies that face environmental issues.

JUSTIN-KAUFFMAN | UNSPLASH

Questions to Agencies:

1. **What is your agency's environmental focus? (e.g., energy use and efficiency, natural resource management, food security, solid waste reduction, resilience, disaster management, education and careers, or other goals and metrics such as those incorporated into the Aloha + Challenge dashboard.)**
 - A. What are your agency's primary environmental goals?
 - B. What are your agency's major environmental challenges?
 - C. What are the major administrative/operational challenges to addressing these environmental goals and challenges?
 - D. What might be possible solutions to these challenges?
 - E. What are your agency's most critical needs?
2. **What has been your practical experience in implementing the new rules for Chapter 343, HRS?**
3. **From your agency's perspective, what needs to be addressed with regards to climate change?**
4. **From your agency's perspective, how has tourism impacted environmental issues?**
5. **Given your responses to these questions, do you think the current arrangement of department functions and responsibilities is effective?**



HDOT

AGENCY SUMMARIES

State of Hawai'i Department of Transportation

The State of Hawai'i Department of Transportation (HDOT) is responsible for planning, designing, constructing, operating, and maintaining State facilities in all modes of transportation, including air, water, and land. HDOT is comprised of four divisions: Administration (Support Services); Airports; Harbors; and Highways. HDOT has wide-ranging environmental protection responsibilities and challenges due to oversight and control over ingress and egress of people and goods to the state along with the construction and maintenance of major infrastructure.

HDOT's current environmental goals include: 1) improving energy efficiency and reducing fuel consumption and carbon emissions; 2) improving resiliency and adapting to climate change; 3) improving biosecurity and control of alien pest species; 4) improving water quality in harbors, streams and nearshore waters; 5) conserving and managing water use and other resources.

A challenge identified by HDOT is the need for appropriate and more clearly defined statutory jurisdictional responsibilities. HDOT is seeking to reestablish its focus and purpose to serve the public. Faced with

many diverse planning and implementation tasks, HDOT is striving to improve alignment of goals, policies and priorities among the state administration, state agencies and other stakeholders (i.e., federal and local agencies, lawmakers, boards and commissions, community groups, etc.). Solutions generally require extensive coordination with many State and county agencies, and HDOT is seeking to develop practical solutions and improved methods of sharing limited resources.

HDOT's environmental protection efforts are hindered by inadequate funding and resources. Increased funding is required to build up staff and technical skills. HDOT recommends having more control over personnel positions and budgets, increasing salaries to be competitive, streamlining procedures and allowing for more agency input in hiring employees, particularly for technical positions.

HDOT is seeking to coordinate and develop comprehensive and cohesive climate change policies that are applicable to its divisions and affected communities. HDOT suggests keeping policies flexible to allow agencies to use funds to implement appropriate mitigation actions in an efficient and timely manner.

HDOT faces significant challenges as its facilities and infrastructure are located on coastal lands and in low lying areas that are vulnerable to climate change and natural disaster-related impacts such as sea level rise, storm surge and tsunamis. Airports and harbors cannot be readily relocated.

HDOT is pursuing increased use of photovoltaic panels and potential future mass procurement of energy efficient electric vehicles. “Green construction” initiatives are also being pursued. Coordination among the various state agencies for such pursuits would be highly beneficial.

HDOT experiences significant costs and time delays associated with complex permitting and approval requirements. Challenges include resolving conflicts stemming from permit requirements, environmental statutes and goals, public safety, and public opinion. Permitting processes may be used by opposition entities to delay projects. Some permitting delays could be reduced by providing additional funding and staff resources for non-HDOT regulatory/permitting agencies.

HDOT supports the state’s biosecurity initiatives and works closely with the Department of Land and Natural Resources and Department of Agriculture to protect indigenous wildlife and prevent introduction of marine and terrestrial alien pest species via air and sea travel and cargo/mail shipments.

HDOT has challenging requirements associated with its stormwater discharge Consent Decree. The Consent Decree requires a high level of cooperation between HDOT, industrial operations, and surrounding communities. HDOT has limited control over sediments and other contaminants generated from areas located outside and upstream of its harbor waters. An example is suspected fecal bacteria from homeless residents living along streams. HDOT is pursuing implementation of outreach programs to educate HDOT tenants and others on reducing stormwater pollution.

HDOT would like to see the State, counties and other stakeholders collectively pursue new strategies to address the real and perceived effects of tourism on Hawai’i’s quality of life. HDOT should not be expected to restrict service and capacity as a means to control the adverse effects of tourism to the environment, infrastructure and traffic. HDOT’s mission as an infrastructure agency is to support land use/growth policies. The current policy is reflected in the fact that Hawai’i advertises itself as a tourism destination.

Details of DOT’s extensive general and specific environmental goals, challenges and suggested solutions are further detailed in Appendix A.

USFWS | FLICKR



State of Hawai'i Department of Land and Natural Resources

The State of Hawai'i Department of Land and Natural Resources (DLNR) is responsible for managing and administering public lands, water resources and streams, oceans, coastal areas and other natural resources of the state. DLNR provided the Council with broad feedback from multiple divisions including State Parks, Forestry and Wildlife, Land Division, Conservation and Coastal Lands, and the Commission on Water Resource Management. All divisions cited the need for funding and impacts due to climate change as their two most critical challenges.

Lack of funding and staff capacity is the most critical challenge currently facing DLNR. With limited funding, staffing and enforcement, divisions feel unable to effectively respond to increasing environmental impacts. The Division of Forestry and Wildlife (DOFAW) cited operating at 25% capacity, which given their broad mandate, makes progress challenging. While the Department feels that, in general, progress is being made, the need for funding persists.

Also salient for many of DLNR's divisions are climate change impacts. DLNR cited increased damage to resources and infrastructure from flooding and storms,

sea level rise, freshwater security, biosecurity and the spread of invasive species as impacts stemming from climate change that DLNR faces. Over-tourism was also a recurring concern within DLNR, with increased impacts to State park infrastructure, parking congestion, inappropriate visitation to culturally and environmentally sensitive sites, spread of invasive species, and trash and human waste all noted as increasing impacts associated with the visitor industry.

It was noted that many of DLNR's divisions would like to see improvement in the public process, sharing the challenges that court cases pose. Litigation can cost considerable time and money, limit public participation to just those for and against a particular issue and is often extremely adversarial. Suggestions for improvement from DLNR include early consultation, mediation, and expediting the regulatory and appropriations process so that projects start soon after consultation and approval.

DOFAW also said transitioning to the new EIS rules has been smooth, as the monthly exemption list was the only substantive change.

DLNR





SUNG-SHIN | UNSPLASH

Hawai'i Tourism Authority

The Hawai'i Tourism Authority (HTA) manages tourism in the state, offering opportunities to showcase Hawai'i's people, places and culture, and providing a quality visitor experience. HTA is working to support the state's environmental goals, and aspires to be one of the leaders in this effort.

HTA has a strong commitment to funding community-based nonprofits that do mitigation work such as removing invasive species, protecting watersheds, installing barrier fencing, and educating visitors (such as educating visitors on the safe distance that must be kept from honu and other threatened or endangered species). Additionally, HTA works with non-profit organizations outside of Hawai'i and partners with DBEDT and DLNR to focus on signage and videos for visitors. Efforts by the Authority to achieve LEED (Leadership in Energy and Environmental Design) Gold Certification for the Hawai'i Convention Center and commitment to planting 1 million Koa trees with the Hawaiian legacy partnership are other examples of HTA's environmental efforts. Hosting the International Union for Conservation of Nature in 2017 addressed many environmental goals and allowed HTA and the State to implement actions to achieve State goals.

While tourism has been looked at very negatively in recent times, over the years, HTA has shifted its purpose and intention in a way that aims to improve resident understanding and sentiment for the tourism industry. HTA has a number of milestones/measures of success that go beyond just the number of visitors but also include quantifying resident sentiment, visitor satisfaction, spending per person, and total spending. One

of HTA's goals is to show the balance between tourism and natural resources protection, with the aspiration of making Hawai'i the most environmentally conscious destination in the world. HTA has noticed the trend of the next generation traveler—responsible tourism and environmental quality are clearly important to them and HTA aims to educate tourists on the unique resources of the state.

The financial benefits of tourism to the state are tremendous. The tourism industry is the State's largest, and accounts for 25% of the State's total income. The transient accommodations tax (TAT) generates \$30 million annually for the state, while the general excise tax (GET) brings in \$2 billion annually (of note, \$2 billion of Hawai'i's \$8 billion of GET is generated from tourism). The industry also provides 217,000 jobs in the state. These taxes significantly help to fund HTA's programs, and HTA is focused on making sure it allocates resources in the most effective and efficient way in order to fund its environmental and other programs.

Challenges cited by HTA include a chronic issue stemming from not having enough or qualified staff. Getting public buy-in, as well as educating both the public and industry as to why protecting environmental resources is important and the right thing to do has also been a challenge for HTA. Furthermore, HTA's limited authority requires that unless it has something to do with branding, Hawaiian culture, community resources, or natural resources, HTA does not get involved.

State of Hawai'i Department of Accounting and General Services

While the State of Hawai'i Department of Accounting and General Services (DAGS) is not directly responsible for work that impacts the State's environmental goals or policies, DAGS is the centralized procurement hub for many state agencies and supports those that do environmental work such as energy efficiency and solid waste reduction. DAGS is also responsible for disaster management, such as designing facilities for disaster preparedness, and it works with DLNR on joint ventures in the field.

During design and construction of State facilities, DAGS balances the desire for increasing energy efficiency with feasibility for what needs to be done and can be done given budgetary constraints. Although there's a mandate for all State facilities to qualify for LEED silver, DAGS aims to achieve as much of that as possible even if the facility does not apply for actual certification.

DAGS noted the basic struggle of a tight budget, with basic health and safety needs taking priority over increasing energy efficiencies. Sometimes, there is an

up-front cost that will pay energy and economic dividends in the long run. Thus, the initial fiscal analysis is vital.

The greatest stated need was for more funding and qualified employees, as there is a tendency to hire outside consultants (at a greater cost). The "State's civil service structure and process is not competitive with private structure." DAGS stressed the need to focus on obtaining a qualified work force.

DAGS identified retro-commissioning (evaluating a building to see if it is still operating the way it was designed to be, and also the way it is used now) as an unfunded but necessary mandate, as it must be done every five years by law.

DAGS did not note any climate change issues and is not directly affected by (over) tourism. DAGS hopes for a stronger Energy Office, to provide more services, information and monitoring, and to set policies.

CHRISTIAN ENGELHARDT



CONCLUSIONS AND RECOMMENDATIONS



INCIDENCEMATRIX | FLICKR

Agency responses revealed common themes related to their environmental responsibilities. Challenges and opportunities cited by two or more agencies include funding and capacity, climate change and green infrastructure, tourism, and public process.

Climate Change

The impacts and implications of climate change were cited by all agencies except DAGS. Each agency offered a slightly different perspective on the issue given their varying mandates. DAGS and HTA shared their commitment to green infrastructure initiatives, with DAGS aiming to increase energy efficiency in state facilities and its mandate to achieve LEED Silver status or the equivalent. However, the department noted that limited funding has caused a basic struggle between meeting energy efficiencies and ensuring that buildings are safe. Similarly, HTA is committed to green infrastructure initiatives having achieved LEED Gold certification for the Hawai'i Convention Center. Additionally, the HTA's focus on resource protection through community, non-profit grant making is of benefit to the mitigation of climate change impacts. In addition to promoting electric vehicles, photovoltaic panels and "green construction," DOT is planning for increased resiliency at its harbor, airport and highway facilities with respect to disaster preparedness and sea level rise.

Of the four agencies, DOT and DLNR noted the most critical challenges associated with climate change - unsurprising given these agencies' wide-ranging envi-

ronmental protection responsibilities. All five of DOT's current environmental goals -- energy efficiency, biosecurity, conserving and managing water use and other finite resources, and protecting infrastructure in the face of sea-level rise, storm surge, and impacts of natural disasters -- relate to climate change. The changes set forth by climate change have and will continue to fundamentally alter DOT's need to address these issues and pose a new reality for DOT and the State.

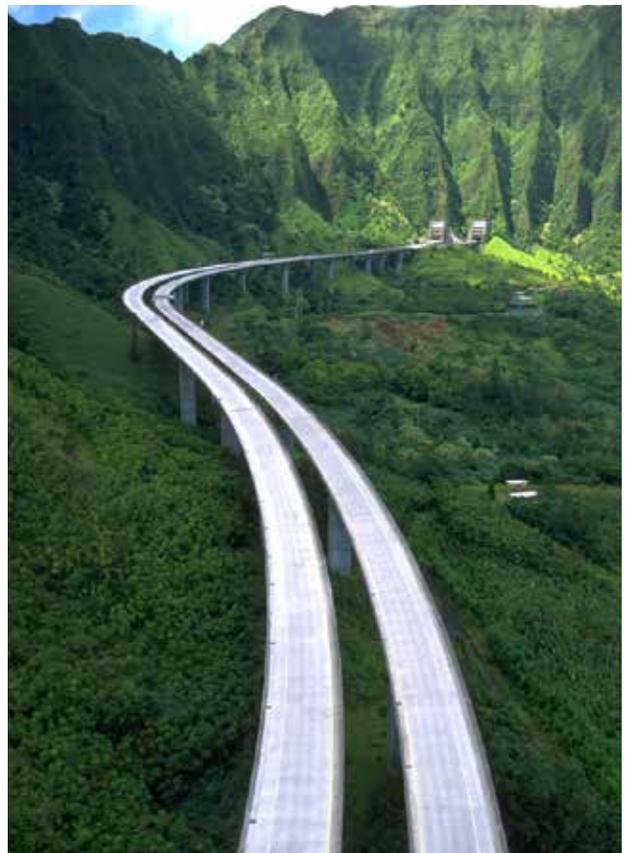
DLNR noted numerous and varying challenges associated with climate change including storm damage, sea-level rise, freshwater security, biosecurity and the spread of invasive species. While DLNR has invested heavily in addressing these rising impacts, lack of adequate funding and capacity remain significant impediments to meeting these challenges.



DREW FARWELL | UNSPLASH

Tourism

Tourism factored heavily in agency responses. Both DOT and DLNR cited the need for greater resources to manage and mitigate the impacts of an increasing number of tourists to the islands. Meanwhile HTA is striving to make Hawai'i the most environmentally conscious tourist destination in the country and improve resident understanding and sentiment for the industry. Given the diversity of responses related to tourism, it is clear that this industry is critically important to the State's economy yet continues to have many unaddressed and mounting impacts. Impacts related to infrastructure such as roads and bathrooms, natural areas, fresh water resources, and biosecurity due to inappropriate and over use were cited by both DOT and DLNR as being critically concerning challenges related to tourism.



HDOT

Public Process

Agencies noted that the public process can pose significant challenges to meeting their environmental responsibilities. Many divisions within DLNR shared the hardships that court cases pose in time and expense and tendency to eliminate participation outside of just those strongly for or against an action. Similarly, DOT expressed that increased costs and delays due to complex permitting and approval requirements are frustrating, and that these processes are sometimes used by those opposed to delay projects. DLNR shared its desire to see the public process improved and suggested a variety of options ranging from early consultation and mediation to expediting the regulatory and appropriations process so that projects are being started within an appropriate window from initial consultations.

In an effort to improve the State's environmental regulation process and bring the EIS Rules, HAR Title 11, Chapter 200.1 in greater alignment with HRS Chapter 343, the Environmental Council revised the EIS rules, which went into effect on August 8, 2019. It was important for the Council to hear how agencies have transitioned to the new EIS rules. In their responses, agencies such as DLNR shared that this transition has been smooth so far, with the largest adjustment being the need to generate and submit to OEQC a monthly exemption list.



CHRISTIAN ENGELHARDT

Funding and Capacity

State agencies cannot address the significant and increasing environmental responsibilities that they face without adequate funding and capacity. Unsurprisingly, the need for increased funding and qualified employees was identified by all agencies as their greatest needs. Agencies shared how lack of capacity is impacting their ability to respond to their environmental responsibilities which have been made more critical by

compounding factors such as (over)tourism and the effects of climate change. With the tendency to hire outside consultants, often at greater cost, DAGS shared that the "State's civil service structure and process is not competitive with private structure," and obtaining a qualified work force needs to be prioritized by the State. DAGS noted the basic struggle of a tight budget, with basic health and safety needs taking priority over

increasing energy efficiencies. DLNR's Division of Forestry and Wildlife's finding that it is operating at 25% capacity further highlights this issue, which is particularly relevant given that DLNR is one of the primary State agencies responsible for the management and protection of natural and cultural resources. DOT's ability to improve and maintain the State's infrastructure as it relates to environmental protection and resiliency and adaptation to climate change are hindered by inadequate funding and staff resources.

While limited funding and capacity have been chronic issues within state government, solutions remain ambiguous. Recently, a collective of public and private groups working on environmental issues have explored the possibility of a "green" fee and carbon tax as a means of increasing revenue for the state's environmental needs. While still in early stages of development, these approaches offer novel sources of funding, which have shown clear success in other countries. Additionally, the State legislature is currently consid-

ering the "Our Environmental Kuleana" Bill, which, if passed, will have the legislature commission a study to understand current environmental funding levels and to establish where the gaps are. These approaches, both in understanding current funding and exploring innovative opportunities for new funding, are critical steps in providing State agencies with the necessary support to meet their environmental responsibilities.

With Hawai'i facing significant budget shortfalls given the economic downturn stemming from the COVID-19 pandemic, government funding for environmental issues will likely be limited. However, while the pandemic has significantly impacted residents, it also offers an opportunity to reshape Hawai'i and bring it in greater alignment with environmental needs.



EMILY LONG/MAUNA KEA FOREST RESTORATION PROJECT

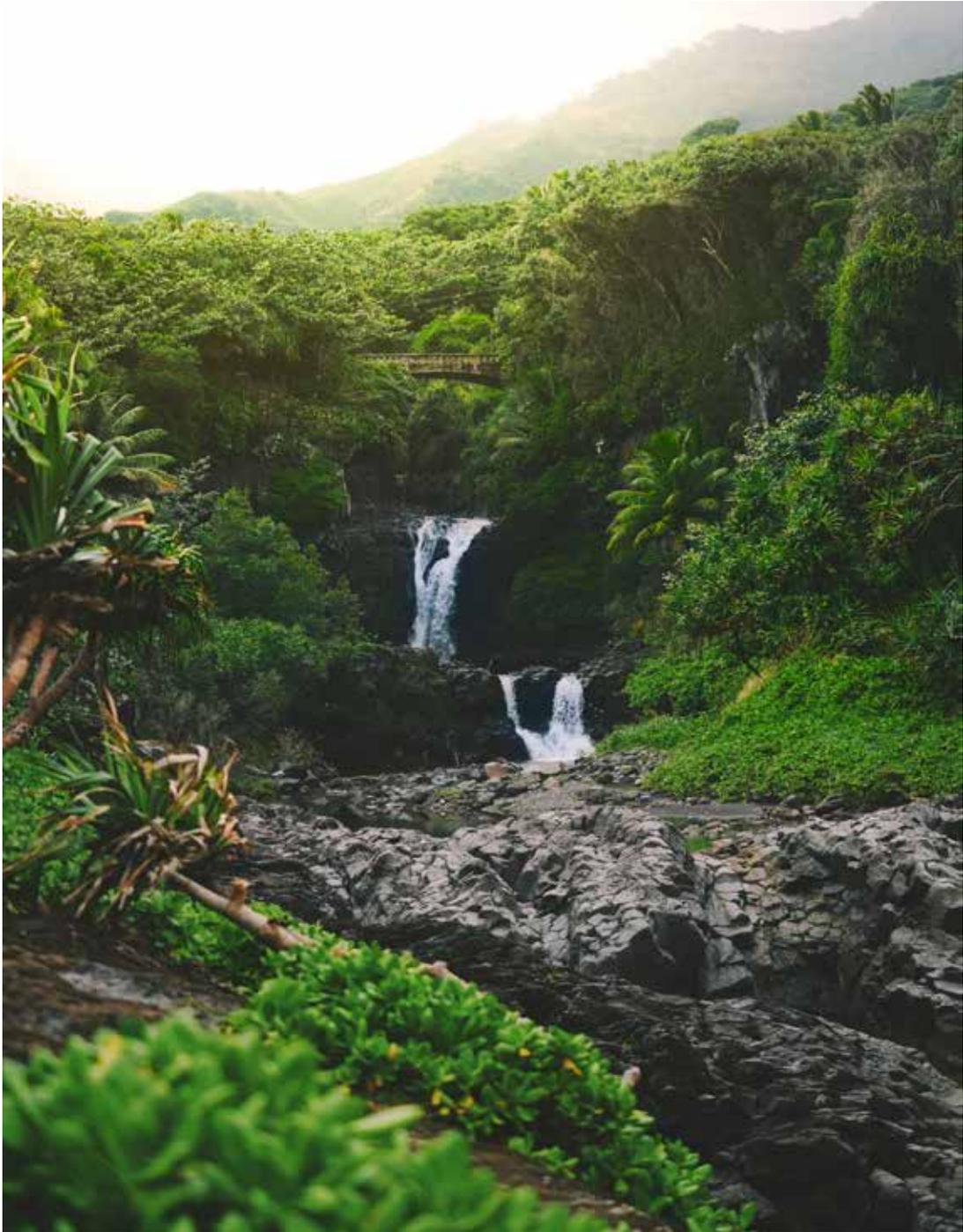
LEGISLATION FOLLOWED BY THE COUNCIL

BILLS OF POTENTIAL IMPACT ON CHAPTER 343 AND/OR OEQC/EC

Bill Number	Summary/Highlights
HB376	Requires a supplemental environmental assessment or supplemental environmental impact statement after the passage of 15 years from the date of the acceptance of the statement or the determination of a finding of no significant impact, if the proposed action is not completed.
HB1549	Requires an environmental assessment for any new or expanded proposed power-generating facility that sells electricity to a utility through a power purchase contract regardless of whether the facility is fueled by fossil fuels.
HB2392	Adds definitions of “biomass” and “fossil fuels”, and amends the definition of “power generating facility”.
HB2624	Establishes the Environmental Impact Statement Hub as a hearing and notification website within the Office of Environmental Quality Control to notify the public of current and upcoming Environmental Impact Statement hearings, public comment periods, and allowing comments to be submitted online. Appropriates funds.
SB196	Requires a supplemental environmental assessment or supplemental environmental impact statement after the passage of 15 years from the date of the acceptance of the statement or the determination of a finding of no significant impact, if the proposed action is not completed.
SB350	Authorizes the Hawaii community development authority to prepare a programmatic environmental impact statement for housing development projects on all lands within the Kakaako community development district. Allows the programmatic environmental impact statement, once it is accepted by the office of environmental quality control, to satisfy the environmental assessment and impact statement requirements for any housing development project within the Kakaako community development district.
SB1468	Requires a county to approve, approve with modification, or disapprove an application for a permit necessary for a housing development project that uses moneys from the rental housing revolving fund. Provides for automatic permit approval if a county does not make a timely decision on an application. Exempts the foregoing projects from environmental impact statement requirements. Sunsets on 6/30/2026.
SB1492	Repeals the definition of power-generating facility under the Hawaii Environmental Procedures Act. Requires an environmental assessment for actions that propose any power-generating facility that sells electricity to a utility through a power purchase agreement.
SB2053	Requires a county to approve, approve with modification, or disapprove an application for a permit necessary for a housing development project that uses moneys from the rental housing revolving fund. Provides for automatic permit approval if a county does not make a timely decision on an application. Exempts the foregoing projects from environmental impact statement requirements. Sunsets on 6/30/2027.
SB2663	Requires a supplemental environmental assessment or supplemental environmental impact statement after the passage of 15 years from the date of the acceptance of the statement or the determination of a finding of no significant impact, if the proposed action is not completed.
SB2777	Establishes the Environmental Council Special Fund; dedicates 0.005 per cent of the Environmental Response, Energy, and Food Security Tax to the Environmental Council Special Fund. Appropriates \$50,000 to the Environmental Council Special Fund from the Environmental Response Revolving fund.
SB2799	Requires a county agency having jurisdiction over planning and permitting, in any county with a population of 500,000 or more, to determine whether certain affordable housing development projects shall be exempt from the State’s environmental impact statement laws pursuant to chapter 11-200.1, subchapter 8, Hawaii Administrative Rules.
SB2971	Requires a county agency having jurisdiction over planning and permitting, in any county with a population of 500,000 or more, to determine whether certain affordable housing development projects shall be exempt from the State’s environmental impact statement laws pursuant to chapter 11-200.1, subchapter 8, Hawaii Administrative Rules.
SB3152	Defines “cultural assessment” and “cultural impact assessment”. Requires cultural assessments to be available for public review and comment in connection with draft environmental assessments. Requires a cultural impact assessment if an agency determines a proposed action may have a significant effect on the environment.

The Council also met with legislative environmental leaders and staff, to inform them of issues that arose during the EIS rules update, agency responses, and the expectation that the final draft of the Annual Report might help elucidate challenges that could be addressed with appropriate legislation and/or funding. In January, Senator Mike Gabbard introduced HB 2777 to establish funding to support the ongoing work of the Environmental Council.

A request for \$50,000 was sought to cover production of the Annual Report, Neighbor Island travel for 8 members, and funds for information and outreach, including public presentations, forums, and conferences. As of the time of this writing, it appears that SB2777 will not move forward this year.



NATHAN ZIEMANSKI | UNSPLASH

COUNCIL AND STAFF BIOS



PUANANIONAONA "ONAONA" THOENE

Chair, O'ahu
Term expires 6/30/2024

Puananionaona (Onaona) P. Thoene is a partner at Carlsmith Ball LLP. Her practice focuses on real property, land use, environmental, business and corporate, and administrative law. Onaona is the Chair of the State of Hawai'i Environmental Council and a member of the O'ahu Island Advisory Council for the Hawaiian Islands Land Trust. She is a graduate of the

Kamehameha Schools, Kapālama Campus. Onaona received her J.D., magna cum laude, from the University of Hawai'i at Mānoa, William S. Richardson School of Law in 2013 with certificates in environmental law and native Hawaiian law, and a B.B.A., cum laude, from the University of San Diego in 2007.



MARY BEGIER

Vice Chair, Hawai'i
Term expires 6/30/2022

Mary Begier is principal broker and owner of Mary Begier Realty, with offices both on O'ahu and Hawai'i Island. She is a past president of both the Hawai'i Island Realtors (HIR) and Honolulu Board of Realtors and has 36 years of experience selling real estate across the Hawaiian Islands. She represented HIR on the Big Island Business Council, where she served as president from 2002-2003. She is also a past president of the Rotary Club of Hilo Bay for 2008-09 and the Hawai'i Island Chamber of Commerce 2009-2010. Begier served in the United States Navy, going to schools in Florida and California before

being assigned to Honolulu. She served 8 years on The Hawaii State Foundation on Culture and the Arts including one year as chair and has represented Hawai'i Island Chamber of Commerce on the Big Island Housing Foundation board. Begier prides herself in building coalitions between other business and community organizations to strengthen the ability to accomplish smart goals in the community. This brought about recognition from DLNR/HISC as Community Hero for work performed eradicating invasive weeds on Mauna Kea.



ROY ABE

O'ahu
Term expires 6/30/2024

Roy is a life-long Hawai'i resident who attended Kaimuki High School and received a B.S. degree in Civil Engineering from the University of Hawai'i. He has a Master's of Science in Civil and Environmental Engineering from the University of California, Berkeley. He is a licensed civil engineer who has completed many challenging wastewater, water and infrastructure projects during a 40-year career as a consulting engineer specializing in sanitary engineering. Roy, who is a Senior Project Manager

at HDR, Inc., transitioned to part-time retired status in 2015. He continues to be actively involved in the Hawai'i Water Environment Association, the local affiliate of the Water Environment Federation. Roy enjoys talking to anyone about sewers, sewage pump stations, sewage treatment plants and any other topic related to sewage. He is passionate about obtaining the most "bang-for-the-buck" from our precious pollution control dollars by making rational science-based decisions.



STEPHANIE DUNBAR-CO

Moloka'i
Term expires 6/30/2022

Steph Dunbar-Co works for The Nature Conservancy, Moloka'i Program. As the East Slope Project Manager, Steph oversees activities in southeastern (Mana'e) Moloka'i where she lives, was raised, and is a fifth generation landowner. Steph received MS and PhD degrees in Botany from the University of Hawai'i, focusing on the evolution, ecology, and conservation

of the native Hawaiian flora. Her education and background have aligned to focus her efforts on the conservation of native ecosystems, long-term fresh water supply, and sustainable agriculture. She lives with her husband and two young children on her family's ranch in Kainalu, Moloka'i.



MAKA'ALA KA'AUMOANA

Kaua'i
Term expires 6/30/2023

Barbara "Maka'ala" Ka'auomoana was born in Kane'ohe, Hawai'i in 1948. Educated throughout the Pacific and California, she pursued careers in both nursing and public school teaching before returning "home" in 1989. Always active in environmental education and conservation organizations and activities, she soon became involved in local projects supporting community management of cultural and environmental resources. In 1999 she was elected by the Hanalei community to head the newly formed Hanalei River Hui. Maka'ala believes

in community participation and transparent process and has continued to guide this organization through the founding of the nonprofit, Hanalei Watershed Hui, and the development and implementation of the Hanalei Watershed Action Plan, the Targeted Watershed Initiative project, the Hanalei Makai Watch Program, Hanalei Watershed Management Plan, and the Hanalei to Ha'ena Disaster Resilience Plan. Maka'ala and her husband, a native Hawaiian, live on the north shore of Kaua'i, have a small banana farm, and enjoy fishing and family time.



I. ROBIN KAYE

Lana'i
Term expires 6/30/2024

In 1974, Robin and his wife moved to Lana'i to document a threatened lifestyle as the island was facing a transition from a pineapple plantation economy to resort development. In 1981, with the University of Hawaii Press, he published a photographic documentary called Lana'i Folks. Shortly thereafter, Robin began a career in the arts and nonprofit sectors, working for the Hawai'i State Foundation on Culture and the Arts, the California Arts Council, the Pennsylvania Council on the Arts, and the Pittsburgh

Cultural Trust. In 1992, he and a partner launched the management consulting firm of Dewey & Kaye, Inc. (DKI), which worked with nonprofit organizations, foundations and government agencies. Robin's work with nonprofits involved board development, long range planning, and executive searches for foundation program staff and nonprofit executive directors. Robin was one of the original founders of the Lanai Limu Restoration Project, and currently serves as spokesperson for Friends of Lana'i.

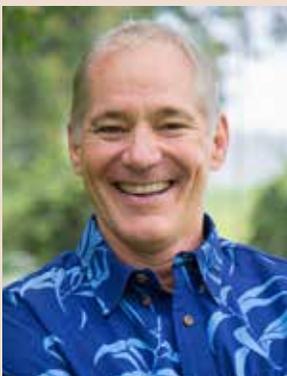


THERESITA KINNAMAN

Kaua'i
Term expires 6/30/2020

Theresita's interest and service for the Council is due to her upbringing, during territorial and plantation days, when the environment and natural resources were fresh, plentiful, clean, and life was simple, fun, honest and about how we cared for the island's land, ocean, streams, natural resources and not depleting these life sustaining resources. Today, with development of once open lands and spaces, land-based

activities are straining the environment and natural resources. Her involvement in community service has spanned 30 plus years advocating for community needs pertaining to environmental, archeology, and natural resources, among other concerns; all that our sense of place, and identity to hopefully recharge and preserve for future generations to a highly sustainable level.



ROBERT PARSONS

Maui
Term expires 6/30/2022

Appointed in May 2015, Rob served 12 years as the Maui County Environmental Coordinator, a position first created by Mayor Alan Arakawa. He served as liaison to county, state, and federal agencies and many non-profit conservation organizations, including watershed partnerships and Maui Invasive Species Committee. He also served as the ad hoc sustainability liaison and is part of the Hawai'i Green Growth Core and Measures Teams, supporting the goals of the Aloha+ Challenge. Rob is a well-known free-lance writer and environmental advocate, with

over 180 articles published since 2007. He is a 40-year Hawai'i resident, originally from the Midwest, as is his wife Heather. "I feel it is essential to learn as much as I can about issues that affect us all, and share that information so people can make informed decisions as part of establishing a future with the ability to sustain ourselves and the multitude of other living species with whom we share this fragile planet." Rob also chairs the Environmental Council Annual Report Committee.



RONALD TERRY

Hawai'i
Term expires 6/30/2023

Ron Terry is a graduate of University of Hawai'i Hilo and has a PhD from Louisiana State University. After five years as a professor of Geography at University of Hawai'i Hilo, he started Geometrician Associates in 1992. He has worked solely or teamed with others to prepare nearly 500 environmental assessments, environmental impact statements, and biological re-

ports for projects throughout the Hawaiian Islands. Clients include many federal, state and county agencies as well as private sector firms. He has served on three State boards and several non-profits. Married with two grown daughters, he also surfs, kayaks, travels, and plays senior softball.



MICHAEL TULANG

Hawai'i
Term expires 6/30/2024

Mike entered the federal service in 1967 with the U.S. Department of Agriculture, National Resource Services, serving in a variety of responsibilities. He was a Watershed Planning Economist, District Conservationist, Resource Conservation, and Developer Coordinator for Maui County, Hawai'i County and the State of Hawai'i. He retired after 31 ½ years of federal service and accepted an executive position with the State Association of Conservation Districts

for 7 years. He then went on to serve for 2 years as a councilman on the Hawai'i County Council, followed by 3 years of substitute teaching at his former elementary school. He has served his community as Director of the Boys and Girls Club and the Hawai'i Agricultural Cooperative, as a Board Member of HIWEDO, and as a Certified Trainer at Positive Coaching. His hobbies include fishing, hunting, cattle ranching, and singing.



N. MAHINA TUTEUR

O'ahu
Term expires 6/30/2022

Mahina is from Ko'olaupoko, O'ahu and is a proud graduate of the Kamehameha Schools. She graduated magna cum laude from the William S. Richardson School of Law, with certificates in Environmental Law and Native Hawaiian Law. In her current role as a Post-Juris Doctor Research & Teaching Fellow at the Ka Huli Ao Center for Excellence in Native Hawaiian Law, Mahina coordinates legal trainings for

state and county decision-makers, facilitates water law workshops for 'Ōiwi communities, and works on various scholarship projects aimed at evolving the law and advancing justice for Kānaka Maoli and other underserved communities. She is also currently pursuing her Ph.D. in Indigenous Politics at UH Mānoa.



CHARLES PRENTISS

Past Member

Chuck is a former city manager and retired city planner with the City and County of Honolulu. He holds degrees in economics, planning, and government management. He is a former Executive Secretary of the Honolulu City Planning Commission, a Vietnam veteran pilot, and a retired Lieutenant Colonel of the Hawai'i National Guard. Chuck is also President of

Hawai'i's Thousand Friends and former Chairperson of the Kailua Neighborhood Board. Chuck possesses a strong belief in citizen participation in government. For him, "participation aids in government openness and honesty, and provides a countervailing force to special interests in government decisions. In Hawai'i, the environment is our economy."



JOSEPH SHACAT

Past Chair

Joseph attended Miami University (Ohio), where he studied philosophy and environmental science. He moved to Hawai'i in 2001, where he earned a M.S. degree in Oceanography and an Executive MBA from the University of Hawai'i Shidler College of Business. He was the Environmental Compliance Manager for Grace Pacific LLC. He has advocated for improving environmental performance in the construction industry through cooperation with government

agencies and active engagement with industry associations, including the General Contractors Association of Hawai'i, Associated General Contractors of America, and National Asphalt Pavement Association. Also, Joseph volunteered on the boards of the Hawai'i Yacht Racing Association and the Waikiki Yacht Club.



KEITH E. KAWAOKA

Acting Director

Keith Kawaoka, D.Env was re-appointed to serve as deputy director of environmental health at the Department of Health. Dr. Kawaoka has served in this position since 2015. Most recently, he was the Program Manager of the department's Hazard Evaluation and Emergency Response Office for more than 15 years. He has held various senior level positions in both national and local environmental consulting firms. At these firms, Dr. Kawaoka has worked as a senior project manager, program manager, and office director. He has been involved in toxic and hazardous

waste management over the last 25 years and brings more than 35 years of experience in environmental protection from the public and private sectors. As deputy director of environmental health, Kawaoka oversees all environmental regulatory issues and protection for the state. Dr. Kawaoka holds a master's degree in public and environmental health and a doctorate in environmental science and engineering both from the University of California, Los Angeles.



SCOTT GLENN

Past OEQC Director

Scott Glenn, AICP, is the former Director of the State of Hawai'i Office of Environmental Quality Control. He advised the Governor on environmental matters and serves as the Co-Chair of Governor Ige's Sustainable Hawai'i Initiative, focusing on supporting state and county agencies with climate change adaptation. Scott led the effort to update the administrative rules as Environmental Council Rules Committee Chair. Prior to coming to the OEQC, Scott worked as an environmental planner in the private sector. He

focused on planning, environmental review, asset management, and risk analysis in clients' strategic decision making. He has managed project budgets and held key roles on multiple multi-million dollar projects for clients in the public and private sectors. Scott earned a B.A. in philosophy and classical archaeology from the University of Evansville and a Master's in Urban Regional Planning from the University of Hawai'i.



LESLIE SEGUNDO

Environmental Health Specialist

After completing a baccalaureate in chemistry, Leslie worked with the Solid and Hazardous Waste Branch of the Department of Health spending nine-months in 1988 in a reverse IPA at the San Francisco Regional Office of the U. S. Environmental Protection Agency working with EPA engineers to develop and implement the hazardous waste permitting and corrective action program for the State on his return

to Honolulu. He also assisted in the development of a quality assurance project plan for RCRA metrics for the then fledgling hazardous waste program. In 1991 he transferred to the Office of Environmental Quality Control. He continues to provide professional and technical support for the Environmental Council and quietly assists in the day-to-day operations of the Office



LAURA MCINTYRE

Senior Planner

Laura Leialoha McIntyre, MURP AICP has over 20 years of planning experience. From January 2012 to May 2nd 2018, Laura was the Program Manager for the Environmental Planning Office with the State of Hawaii Department of Health. Laura has completed various projects in five different countries. She has worked as a consultant in five different private planning firms, three in Hawai'i and two in Australia. Laura also ran her own private planning firm between 1995-1998. Laura was born and raised in Hawai'i and received her Masters degree in Urban and Regional Planning (MURP) from the University of Hawai'i. She received her undergraduate degree in Economics

and Political Science from the University of California, Irvine. Laura has been an executive committee member of the Hawai'i American Planning Association since 2013 and has been a member of the American Institute of Certified Planners (AICP) since 2010. Over the years, Laura has presented on a number of topics to a wide range of audiences. Laura also holds certificates from the National Disaster Preparedness Training Center (FEMA) on Coastal Community Resilience and Emergency Preparedness & Response.



TOM EISEN

Planner

Truthfully a geographer, Tom has been engaged with Hawai'i's planning community for over 25 years. Presently serving as a planner in the Office of Environmental Quality Control, Tom also has natural resource planning experience with the Coastal Zone Management Program and the Office of Conservation and Coastal Lands. His planning perspective has been broadened by employment with two county

planning departments, as well as working as a sole proprietor consultant and with a large local planning firm. Preferring to surf and practice yoga in his free time, Tom has also been a Neighborhood Board & Community Garden Board member, volunteered as a docent at the Waikiki Aquarium, and built yurts, permaculture gardens, and photovoltaic systems.



JEN CHING

Secretary

Jen has been with the State since 2005 and has over 10 years of experience working for the Department of Health in various positions. She serves as the personal and confidential assistant to the OEQC Director and is responsible for the overall administrative functions of the Office.

Appendix A

Detailed Summary of Input from State of Hawaii Department of Transportation

The State of Hawaii Department of Transportation (HDOT) is responsible for planning, designing, constructing, operating, and maintaining State facilities in all modes of transportation, including air, water, and land. HDOT is comprised of four divisions: Administration (Support Services), Airports, and Harbors and Highways.

HDOT has wide-ranging environmental protection responsibilities and challenges due to oversight and control over ingress and egress of people and goods to the state along with the construction and maintenance of major infrastructure.

Environmental Goals

- Improve energy efficiency and reduce carbon emissions.
 - Meet Governor Ige's 2045 100% clean energy goal.
 - Promote increased use of electric vehicle (EV) light vehicles.
 - Install photovoltaic panels and evaluate other sources of clean energy.
 - Evaluate and promote "green construction."
- Improve resiliency and adapt to climate change.
 - Address resiliency and measures to adapt to climate change in harbor, airport and highway master plans and other planning studies. Address short term issues such as disaster preparedness and long term issues such as sea level rise.
 - Improve biosecurity and control of alien pest species.
 - Support the state's biosecurity initiatives. Protect indigenous wildlife and prevent introduction of marine and terrestrial alien pest species via air and sea travel and cargo/mail shipments. Work closely with the Department of Land and Natural Resources and Department of Agriculture.
- Improve water quality in harbors, streams and nearshore waters.
 - Comply with HDOT's stormwater Consent Decree requirements and the HDOT Stormwater Management Plan to reduce impacts from stormwater runoff.
- Conserve and manage use of water and other resources.
 - Reduce water consumption. Use treated wastewater for landscape irrigation.
- Reduce fuel consumption and exhaust emissions.

HDOT has extensive general and specific environmental goals, challenges and suggested solutions. The following summary was prepared based on comprehensive input provided by HDOT.

Environmental and Administrative/Operational Challenges

- Inadequate funding and staff resources and lack of appropriate and clearly defined statutory jurisdictional responsibilities to meet due diligence requirements and address environmental goals and challenges in a timely manner.
- Need for improved alignment of goals, policies and priorities among the state administration and the various state agencies, and the many diverse planning and implementation tasks.
- Solutions often require extensive coordination with many State and county agencies.
- Many facilities and infrastructure are located in coastal lands and low lying areas that are vulnerable to climate change and natural disaster-related impacts such as sea level rise, storm surge and tsunamis. Airports and harbors cannot be readily relocated.
- Harbors can have special planning and budgeting challenges such as accommodating significant changes in industry needs, requirement to accommodate various vessel types, limitations in modifying pier heights (unless design of ships is changed), and modifying surrounding road networks and mitigating impacts to neighboring properties for elevation changes.
- Costs and time delays associated with meeting complex permitting and approval requirements. Challenges include resolving conflicts stemming from permit requirements, environmental statutes and goals, public safety, and public opinion.
 - Obtaining certain permits and approvals, particularly those for Section 401 and 404 of the Clean Water Act and Section 10 of the River and Harbor Act, can be very difficult and time consuming. Compliance with other Federal laws, such as the

Endangered Species Act, Magnuson-Steven Fisher Conservation and Management Act, and National Historic Preservation Act is also required.

- Inadequate funding and staff resources for non-HDOT regulatory/permitting agencies.
- Addressing legacy soil contamination from former oil refinery and other industrial operations on HDOT properties can be costly and time-consuming.
- Flight safety requirements at airports can conflict with environmental statutes and goals.
- Permitting processes may be used by opposition entities to delay the project.
- Achieving compliance with challenging requirements of the stormwater discharge Consent Decree
 - Requires high level of cooperation between HDOT, industrial operations, and surrounding communities. For example, compromised stormwater quality from Nuuanu Stream and Kapalama Canal originate from areas far above the HDOT harbor waters. HDOT has no control over contaminants generated from areas located outside and upstream of its jurisdictional boundaries. An example is suspected fecal coliforms from homeless residents living along streams.
 - Need for an effective outreach program to educate and manage tenants and users to promote compliance with the stormwater Consent Decree requirements.
- Prevention of introduction of alien species and protection of indigenous species.
 - Protection of seabirds, particularly those on Kauai, that require control of feral cats and management/ mitigation of night lighting that impact fledglings.
- Contending with landslides, flooding, fires and other emergencies that closes roadways, affects access to airports and harbors, and can adversely affect Hawaii's economy.

Possible Solutions to Environmental and Other Challenges

- Seek increased funding and staffing. Reestablish focus and purpose to serve the public. Build-up staff and technical skills.
 - Seek more resources and support from the legislature. Evaluate reducing the power of the legislature to limit personnel positions and budgets.
 - Increase salaries to levels that are competitive with other employers (City, Federal, private).
 - Fill vacancies and allow more flexibility in allocating and use of additional civil service positions.
 - Improve personnel hiring procedures. Allow for more involvement at agency level to promote faster and more effective screening of candidates, particularly for technical positions.
 - For harbors, allow for increased appropriation of enterprise revenues used of harbor operations, maintenance and development of facilities.
- Streamline and consolidate Federal, State and local permitting. Seek increased funding for permitting agencies where appropriate. Resolve environmental issues that can cause long delays to projects.
- Pursue significant interagency and community partnerships to address water quality and resiliency/adaptation issues. Manage stormwater at a regional scale.
- Reassess the roles, responsibilities and staffing of the Statewide Transportation Planning (STP) Office and the various HDOT divisions with respect to environmental issues. Seek alignment and buy-in from all departments.
- Reduce electrical consumption by continuing to implement energy savings performance contracts (Airports has already replaced 78,000 light fixtures with LEDs, implemented air conditioning efficiency upgrades, replaced outdated transformers, and installed over 21,000 photovoltaic panels.)
- Plan and construct charging stations and other EV infrastructure for HDOT vehicles and those of other state agencies. Evaluate leasing (pay by miles driven) versus mass acquisition of vehicles.
- Reduce traffic congestion and vehicle fuel use and emissions by constructing Rental Car (CONRAC) facilities at airports (under construction at Honolulu and completed on Maui).
- Install electrically powered aircraft "Ground Power Units" and "Preconditioned Air Units" at airports to eliminate fuel consuming and exhaust emitting auxiliary power units.
- Conserve and manage use of resources. Set example for other State and government agencies and the private sector. If feasible, implement use of "Carbon Cure" concrete involving CO₂ injection into concrete to sequester CO₂ and improve the concrete properties.
- Purchase lands where the opportunity exists to facilitate future retreat or modification actions.

Experience in Implementing New Rules for Chapter 343, HRS

- The Statewide Transportation Planning (STP) Office has been designated as the lead point of contact for HDOT.
- Outreach by OEQC, which included the use of videoconference sites, was very useful.
- The primary change in implementing the new rules was submittal of the monthly list of exemption notices.

Needs Related to Climate Change

- Coordinate and develop comprehensive and cohesive climate change policies that are applicable to all three divisions and affected communities. Keep policies flexible to allow agencies to use funds to implement appropriate mitigation action in an efficient and timely manner.
- Seek consultant assistance to develop strategies and coordinate other State and County agencies to find practical solutions and possible ways to share limited resources.
- Develop and implement adaptation strategies that are practical, reasonable and implementable in a timely fashion.

Tourism Impacts on Environmental Issues

- HDOT provides transportation infrastructure to support land use plans to accommodate residents and visitors. HDOT should not be blamed for tourism problems and be expected to restrict service and capacity as a means to control the adverse effects of tourism to the environment, infrastructure and traffic. HDOT's mission as an infrastructure agency is to support land use/growth policies. The current policy is reflected by the fact that Hawaii advertises itself as a tourism destination. For airports, Federal Aviation Administration grant assurances prohibit the State from restricting flight operations.
- Certain areas need management plans to reduce usage by visitors to protect natural resources. DLNR's recent management of tourists in the north Kauai and Hanalei area is an example of such a management plan.
- Tourists add to traffic congestion.
- Direct flights to neighbor islands have resulted in impacts to the airport facilities, particularly those which were not designed to accommodate wide-body aircraft. Airfield capacity enhancement projects are generally opposed by residents. Airports can accommodate tourism growth, but there are also issues with the capacity and condition of lodging and other infrastructure.
- Tourism impacts the commercial harbors due to the increased quantity of goods, equipment and fuel required to sustain the visitor industry. Support of the cruise ship industry results in high consumption of goods, including high end goods. Ships must bring in consumables from all over the world. This increases the risk of introducing marine and terrestrial alien pest species.
- Cruise ship capacities are increasing and passengers have a high demand for same day ground transportation. This contributes to traffic congestion.
- Commercial ships are a source of particulates introduced into the environment. Recent laws and initiatives require ships to utilize cleaner burning fuels and/or addition of pollution reducing systems.

Effectiveness of Current Arrangement of Department Functions and Responsibilities

- Organizational roles and responsibilities are being reassessed to improve timely project completion. Regarding new Chapter 343 HAR tasks, points of contact for implementation and coordination have been designated by the various division planning branches and sections.
- Greater alignment on policies among the various State agencies, as well as other entities (Federal and local agencies, lawmakers, boards and commissions, community groups, etc.), should be pursued.
- Use of enterprise funds from industry should be managed by the agency and should not need to be re-appropriated by the legislature.
- From a tourism perspective, the State and counties should collectively determine whether new innovative strategies to address the real and perceived effects of tourism to Hawaii's quality of life. This includes expediting permitting processes.
- The Harbors Division indicated that consideration should be given to decentralizing agency functions. Administrative agencies should be responsible for policies and compliance, while functional agencies should be responsible for implementation.
- The Highways Division performs organizational assessments as part of new projects in an effort to look at possible changes such as better partnering with other agencies.



HDOT

As this report was headed for publication, Environmental Council members and DOH/OEQC staff became aware of the passing of Staff Planner Laura McIntyre, following a long illness. Laura is fondly remembered for her sharp mind, warm heart, tenacious spirit, and many years of dedicated service through her work with the State Department of Health. She will be greatly missed.



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