

**ENVIRONMENTAL COUNCIL MEETING MINUTES, MAY 11, 2011,  
FROM 1400 HOURS UNTIL 1600 HOURS AT THE  
KEONI ANA BUILDING VIDEOCONFERENCE CENTER  
1177 ALAKEA STREET, ROOM 301, HONOLULU, HAWAI'I 96813,  
LIHU'E STATE OFFICE BUILDING VIDEOCONFERENCE ROOM,  
3060 'EIIWA STREET (BASEMENT), LIHU'E, HAWAI'I 96766,  
UNIVERSITY OF HAWAI'I, MOLOKA'I CAMPUS, ROOM 102, AND  
HILO STATE OFFICE BUILDING VIDEOCONFERENCE ROOM,  
75 'AUPUNI STREET (BASEMENT), HILO, HAWAI'I 96720**

**Present:** Malia Akutagawa (via Videoconference from Moloka'i); David Atkin; Gary Hooser (Director, Office of Environmental Quality Control); Robert Inouye (via Videoconference from Kaua'i Island); Shannon Mears; John Richards (via Videoconference from Hawai'i Island); Mary Steiner; James Sullivan; and Iris Terashima.

**Absent:** Alvin Char; Peter Cooper; and, Susan Matsushima.

**Public:** Scott Glenn (Council appointee, effective July 1, 2011); Jason Allison (Student Intern); Edward G. Bohlen, Esq.(Deputy Attorney General); George Casen; Randy Cates; Carty Chang; Alice Domingo (OEQC Staff); Liza Ferentinos; Bianca Isalei; Charles Prentiss (Council appointee, effective July 1, 2011); Alton Miyasaka; Leslie Segundo (OEQC Staff); William Tam (Deputy Director, Department of Land and Natural Resources); Alyson Yim, and Marjorie Ziegler (Council appointee, effective July 1, 2011).

1. SWEARING IN OF NEW MEMBERS: Malia Akutagawa, Shannon Mears, and Iris Terashima were sworn into office by Director Gary Hooser.
2. CALL TO ORDER: Chairperson Steiner called the Environmental Council to order at 1405 hours.
3. INTRODUCTIONS: Chairperson Steiner welcomed everyone. All attendees introduced themselves.
4. APPROVAL OF MEETING MINUTES FROM APRIL 18, 2011: It was moved and seconded that the minutes of April 18, 2011, be approved. Chairperson Steiner called for the questions. The motion was unanimously approved.
5. CHAIR'S REPORT: Chairperson Steiner presented her report.
6. DIRECTOR'S REPORT:
  - Director Hooser reported that committee assignments for OEQC staff are being finalized.
  - The Planner V of the OEQC transferred to the Department of Land and Natural Resources.
  - Due to budget instructions, any action on all positions have been frozen by the Governor. The Planner III and the Environmental Health Specialist are the only staff available for project reviews.
  - The Director reported that SB 699 was held in committee.

- The Director reported that the OEQC and EC retreat will be held all day on June 30, 2011, with OEQC staff meeting in the morning, followed by the members of the EC at 1100 hours. He noted that questionnaires from the retreat facilitator will be sent to all staff and council members.
- The Director also reported that he met with the Information Technology staff on purchasing own meeting software and hardware (i.e., like Skype) and they informed him that such a system can cost about \$50,000. He noted that the advantage of such a system would be to allow the members to stay at home to have a virtual meeting (with the public) on a pre-arranged internet site.

## 7. STANDING COMMITTEE REPORTS.

- A. Legislation – Mr. Sullivan reported on the meeting that the committee held earlier.
- B. Annual Report – There was no report.
- C. Administrative Rules – Mr. Mears reported that the committee plans to meet in June 2011.
- D. Exemptions: Mr. Atkin reported that the committee had met earlier with Mr. William Tam, Deputy Director of the Department of Land and Natural Resources (DLNR) on its requests for the council’s review and concurrence. Mr. Atkin then invited Mr. Tam (and his staff, Mr. Paul Conry, and Ms. Lisa Farrantino) to address the full council.

MOTION: Mr. Atkin moved, and Mr. Cooper seconded that the Environmental Council approve DLNR’s second request (Class 3, Number 1 – DOFAW – June 12, 2008). A lively discussion ensued. Chairperson Steiner then called for the question (6-3-1). The motion failed to carry. In favor (Inouye, Akutagawa, Atkin, Cooper, Mears, and Terashima); opposed (Hooser, Richards, and Sullivan); abstentions (Char). Chairperson Steiner noted that had the meeting not ended abruptly at 1600 hours (see below), she would have voted in favor of the motion.

## 8. ADJOURNMENT

The videoconference connection abruptly ended at 1600 hours, ending the meeting.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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STATE OF HAWAII  
ENVIRONMENTAL COUNCIL  
235 SOUTH BERETANIA STREET, SUITE 702  
HONOLULU, HAWAII 96813

MARY STEINER  
Chairperson  
Vice-Chairperson  
DAVID ATKIN  
GIL BERGER  
ALVIN CHAR  
PETE COOPER  
ROBERT INOUE  
GARY HOOSER (EX-OFFICIO)  
SUSAN MATSUSHIMA  
JOHN RICHARDS  
IAN SANDISON  
CHRISTOPHER STEELE  
JAMES SULLIVAN  
SHANNON MEARS  
IRIS TERASHIMA  
MALIA AKUTAGAWA

## ENVIRONMENTAL COUNCIL MEETING

May 11, 2011, 2:00 pm – 4:00 pm

### Oahu Meeting Location

Keoni Ana Building, 1177 Alakea Street, Rm. 302, Honolulu, HI

### Video Conferencing Centers

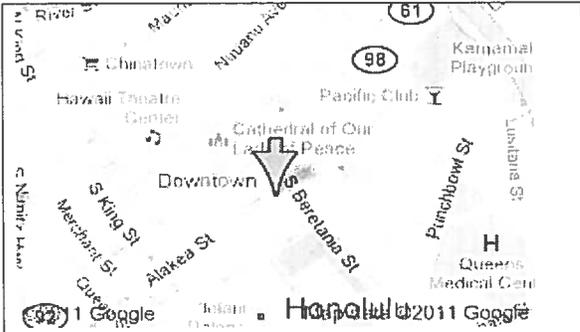
Kauai: Lihue State Office Building, 3060 Eiwa Street (Basement), Lihue, HI

Hawaii: Hilo State Office Building, 75 Aupuni Street (Basement), Hilo, HI

Molokai: \_\_\_\_\_

## AGENDA

1. Swearing in of New Members
2. Call to Order
3. Introductions
4. Approval of Minutes from April 18, 2011
5. Chairs Report
6. Office of Environmental Quality Control Director's Report
7. Standing Committee Reports:
  - Exemption Committee
    - DLNR Exemption Request
  - Rules Committee
  - Annual Report Committee
  - Legislative Committee
8. Public Testimony
9. Correspondence Received
10. New Business
11. Adjournment

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|  | <p><b><u>Parking Permits Valid in Lots:</u></b><br/>(Parking permits for Environmental Council Members Only)</p> <ol style="list-style-type: none"><li>1. Iolani Palace (Meters Only)<br/>South King and Richards Street</li><li>2. Department of Health (Meters Only)<br/>1250 Punchbowl Street, Honolulu</li><li>3. State Capitol Basement (Meters Only)<br/>415 South Beretania Street, Honolulu</li></ol> <p><i>Note: See back of the <u>parking permit</u> for list of available parking.</i></p> |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Special Accommodations (such as Sign Language interpreter, large print, taped materials) can be provided, if requested at least five (5) working days before the scheduled meeting by contacting the Office of Environmental Quality Control, 235 South Beretania Street, Room 702, Honolulu, Hawaii 96813. All interested persons will have an opportunity to present testimony on any agenda item for this meeting. For more information, contact the Office of Environmental Quality Control at (808) 586-4185 (voice), (808) 586-4186 (fax), or email: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov).

Good Shepherd Foundation, Inc.  
P.O. Box 1880  
Pahoa, Hawaii 96778  
808-935-5563

May 3, 2011

To: Environmental Council  
Office Of Environmental Quality Control

Re: Comment re: DLNR Proposed EA Exemption List

I appreciate this opportunity to comment on the DLNR proposed EA Exemption lists for DOFAW, Aquatic Resources, and State Parks.

## I. INTRODUCTION

As you know, the intent of an EA is to “establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations.” (HRS 343-1)

Public participation in the process is a core element of an EA. “The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.” (HRS 343-1)

When an EA exemption is allowed for an action, there is no environmental review or public involvement. This must be allowed for only those actions which are non-controversial and clearly of the most insignificant nature.

## II. INVASIVE SPECIES CONTROL

Frankly, I am shocked by the proposed exemption lists of the DLNR. The DOFAW and Aquatic Resources lists would exempt any action directed against weed, pest, or “invasive” species, regardless of the methods used or extent of the action. Even those actions using poisons are given carte blanche.

The apparent reasoning is that all weed/pest/invasive species are inherently bad, so killing them is inherently good and should not require environmental review or public comment. Obviously, this simplistic approach, though well intentioned, can have disastrous consequences.

Many so-called invasive species have beneficial characteristics, and have become integrated into the environment. An attack on these introduced species is an attack on the environment itself.

### “Invasive” Food?

Many invasive plants have become part of the complex food web. Loss of these food species may impact on native and introduced wildlife.

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QUALITY CONTROL

For example, the banana poka is a fruiting vine and passionfruit relative, grown commercially in some parts of the world, but considered an invasive species in Hawaii because it is a nuisance when it grows into the crowns of trees in the forests. However, it is also known that the rare, native 'Iiwi bird, listed as a vulnerable species, benefits greatly from eating the nectar of the banana poka, which is available at the times of the year when its primary food source, o'hia and mamane nectar, are not available. The endangered Hawaiian crow is also known to benefit from banana poka as a food source. Pigs also eat the fruit, which helps feed hunters. While control of this vine may be beneficial to smothered trees, the loss of this food source without its concurrent replacement by another food resource may have negative impacts on native and introduced wildlife.

### Anthropocentric Labeling

In the real world, all species have positive and negative attributes. Whether or not the species is labeled a pest or invasive depends upon one's values and culture, and should be open to public comment. There are many examples of "invasive" species whose control should require an EA because of cultural impacts, such as control of feral cats, feral ungulates used as game animals, and food plants.

### Controversial Methods

In addition, the method of control employed is also of concern, as well as the extent of the control. Will it include the use of poisons, which can have far reaching impacts on water quality, human health, and nontarget species? Will it include the introduction of biocontrol insects, fungi, or pathogens? Will it involve less than an acre, or thousands of acres?

Just because a species is called invasive, it does not mean that its removal would have no negative consequences on the environment or the culture.

### Rot, Remove, or Replace?

Once it is agreed on what to kill and how to kill it, the question remains of what to do with the environment afterwards. For example, if herbicide is used, do you just leave dead, poisoned vegetation to rot? Do you remove it from the area? Do you leave area to recover naturally, or do you replace the removed species with something else? What would you replace it with? How will this impact on wildlife, the watershed, and the culture?

Clearly, invasive species control is not as simple as killing the weeds and pests by any means possible. Invasive species control, like a medical procedure, may be necessary for the health of the environment. And as with a medical procedure, there needs to be objective, complete information and informed consent. We would not accept any less when it comes to treating our bodies. We should be just as informed and careful when it comes to treating our environment.

## 1. DOFAW EXEMPTION LIST

In light of these concerns, consider the DOFAW exemption list, Class 4, item #8.

*8. Invasive species control using traps, toxicants, herbicides, pesticides, and fungicides in accordance with state and federal laws and regulations for the purpose of protecting, preserving, or enhancing native species, native habitat, or native ecosystem function.*

There is no mention of what species will be considered “invasive”, which can be controversial. The use of poisons can harm the environment. And there is no mention of the extent of this action. It could involve any size acreage. Keep in mind that herbicide and pesticide labels do not limit acreage for application, only the amount of poison to use per acre. Clearly, poisoning 10,000 *square feet* of weeds will have a different impact than poisoning 10,000 *acres*. This exemption makes no distinction.

Also a problem is the next proposed item #9.

*9. Take, collect, capture, possess, transport, translocate, maintain, hold, propagate in captivity, salvage, rehabilitate, release, outplant or euthanize, dispose of animal or plant species for the purpose of education or managing, protecting, preserving, or enhancing native and protected species, habitat, or ecosystem function or controlling nuisance species which do not result in a serious or major disturbance to the animal or plant species or habitat.*

This allows any number of individuals of any species to be treated in any way for just about any purpose without any environmental review or public comment. Clearly, there could conceivably be potential negative cultural and environmental impacts from these types of activities.

The exemption ends, “*which do not result in a serious or major disturbance to the animal or plant species or habitat.*” Clearly, these types of activities may cause serious or major disturbance, or this caveat would not be needed. But how will the DLNR know without an EA? It can only be after the fact, when serious damage does occur and it is too late.

Another DOFAW problem exemption is item #11 in this same Class 4.

*11. Issuance of threatened and endangered species take licenses or permits for the purposes of scientific study or to enhance the propagation or survival of the affected species which are determined to be not likely to adversely affect the listed species.*

This exemption would be disallowed as of July 1, 2012. According to HRS §195D-4 Endangered species and threatened species. “*No new safe harbor agreements, habitat conservation plans, or incidental take licenses shall be approved or issued subsequent to July 1, 2012.*”

In addition, it should not be assumed that the ends of science should always trump the interests of threatened and endangered species. Some science is unnecessary. Some science is poorly designed and gives useless results. Some scientific studies cause more harm than good. Some science is for the purposes of exploitation of a species, as with Japanese whaling in the name of science.

Also, it is the nature of scientific research that the results are unknown. The Heisenberg Uncertainty Principle states that we cannot study a system without altering it at the same time. All research can have impacts on the system being studied.

And then there is the Precautionary Principle, recently reaffirmed by the Hawaii Supreme Court as a principle for our government's environmental review. This principle places the burden of proof of safety on the party proposing the action. The DLNR, however, wants to assume an action is safe until proven hazardous.

At the end the exemption states, "*which are determined to be not likely to adversely affect the listed species.*" How will this be determined without an EA?

Given these considerations, an exemption is unwarranted and unwise.

## 2. AQUATIC RESOURCES EXEMPTION LIST

As with the DOFAW, the Aquatic Resources exemption list includes problematic proposals that pose threats to the environment and should require an EA.

A. Exemption Class #4 Minor alterations in the condition of land, water and vegetation.

*1. Minor alterations to existing managed aquatic areas and other fisheries research and/or management and conservation areas, including control of weed and brush, predators, undesirable fishes or other organisms under approved and controlled conditions.*

What constitutes "approved and controlled conditions"? What constitutes an "undesirable" species of fish and who makes that determination? Apparently, this exemption would allow the extensive use of poisons on an unlimited area of ocean or other aquatic environments against any "undesirable" organism, and without an EA. Clearly, there can be serious consequences to this type of action.

B. Exemption Class #5 Basic data collection, research, experimental management and resource evaluation activities that do not result in a serious or major disturbance to the environmental resource.

*15. Aquatic invasive or nuisance species prevention, mitigation, control, and monitoring – activities relating to a) preventing the accidental or unintentional introduction of alien species into the State through hull fouling, ballast water, or other vectors, b) identifying such new alien species introductions when we become aware of their presence, c) developing mitigation measures to prevent the spread or reduce the negative impacts of alien, invasive, or nuisance aquatic species on desirable or beneficial native species or ecosystems, d) reducing or eliminating populations of such species before they become too numerous to control, and e) monitoring the presence, distribution, and spread of alien, invasive, or nuisance species to develop effective mitigation or eradication measures.*

This proposed exemption deals with prevention and treatment of aquatic "invasive" or "nuisance" species. Again, these may be controversial characterizations. There is no mention of how these labels

will be applied, or by whom. What may be a nuisance species to a captive cage fish farmer may be food to a subsistence fisherman. Are predators of fish a nuisance?

What methods will be used to control these undesirable species? Will it include poisons? What will be the extent of these control activities?

C. Class 5 item #19. *Research activities relating to the management of alien, invasive, pest, or nuisance aquatic species, assessing their impacts on native species and ecosystems, and minimizing any negative impacts (existing program).*

Research activities can include the release of biocontrol agents or the experimentation with poisons to kill alien, invasive, pest and nuisance aquatic species. Clearly, these research activities can have significant negative impacts. As stated above, research is inherently risky, with uncertain outcomes. The scope of research can be extensive. Poisoning the ocean and shoreline to kill undesirable species and then monitoring the results can be considered research, but can have disastrous outcomes. The atomic explosions conducted at Bikini Atoll and elsewhere were considered research. Killing hundreds of whales off of Antarctica is considered research.

The term "research" should not be a free pass to do anything to the environment. These activities need the scrutiny of an EA, especially since they are designed to be lethal and the results are uncertain.

### III. OTHER ISSUES

#### A. "Taking" of regulated species.

*Aquatic Resources Exemption List Class 5: Item #21. Take of regulated species, for example, aquatic life whose take is restricted or prohibited by a season, size limit, bag limit, or other such measure; provided that the take of such species does not result in a significant negative impact to the population, either locally or throughout its range, and in addition, the take of any federally protected species is authorized by a federal permit.*

Again, incidental takes of threatened or endangered species will be disallowed as of July 1, 2012.

Also, how will it be known that such a take is insignificant without an EA? There is no stated number of individuals that can be taken at any one time. How will the DLNR determine that the take is insignificant? What population studies will be used to determine that the take will not impact the species locally or throughout its range? Shouldn't we be giving regulated species more protection?

#### B. Releasing aquatic life.

*Aquatic Resources Exemption List Class 5: Item #11. Approving releases of aquatic life in compliance with Section 197-4, Hawaii Revised Statutes (HRS) or in coordination with the Hawaii Department of Agriculture or follow-up studies on such species. And Item #12. Conducting releases of aquatic life pursuant to Section 187A-2(4), HRS or follow-up studies on such species.*

Releasing aquatic life can create an invasive species problem. Follow-up studies are required because the outcome is uncertain, and unpredictable. Obviously, this should require an EA.

#### C. Emergency Restoration Work

Aquatic Resources Exemption List Class 1, Item#10. *Emergency mitigation and restoration work to prevent damage from continuing to occur and to restore the topographical features and biological resources to the condition that existed prior to the incident. (Also under exemption class 4, item #3.)*

This exemption has two components: emergency mitigation and restoration to prevent further damage; and restoration of topographical and biological resources to condition prior to incident.

While emergencies may not be able to wait for an EA, this urgency should not apply to restoration efforts, which are not an emergency and may involve significant impacts. There is no limit on the scope of this restoration. Restoration can conceivably include removal of “undesirable” topographical and biological resources. Is the condition to be restored to that just prior to the incident, or to some earlier condition? Clearly, this needs to be reviewed with an EA.

#### D. Toxic Material Storage

Aquatic Resources Exemption List Class 1, Item #3. *Storing of hazardous materials, such as gasoline, solvents, cleaners, paints, disinfectants, algaecides, pesticides, herbicides, and other petroleum and nonpetroleum based chemicals, in compliance with OSHA and State requirements, used in the normal operation of facilities, equipment, and existing managed aquatic areas.*

The Japan tsunami and earthquake and subsequent nuclear disaster is a wake up call to warn us that there is no safe place for hazardous materials. Any storage of hazardous materials must be far from the shoreline and in earthquake engineered buildings. They should not be near any waterways or densely populated areas. These conditions should be added to this exemption.

#### E. Use of Regulated Gears

Aquatic Resources Exemption List Class 5 item #20. *Use of regulated gears, for example, small mesh nets and traps, chemicals and electrofishing devices (as authorized by section 187A-6, HRS); provided that use of such gears does not result in a significant negative impact.*

How will it be determined if the use of such gear, which includes chemicals and traps, does not result in significant negative impacts if no EA is done?

#### F. Cage Culture

Aquatic Resources Exemption List Class 6, Item #9. *Installation of rearing pens for cage culture of various freshwater, estuarine and marine fishes, invertebrates and other aquatic organisms.*

Where will these cages be placed? What will be the density of these cages and the impact of feeding and waste on the surrounding environment? What species might consequently become “nuisance” species as a result of interference with these cage cultures?

#### G. Use of Herbicides and Pesticides

This relates to the Proposed Exemption List for State Parks, Exemption Class 4: Minor alteration in the conditions of land, water, or vegetation. Item #6. *Minor vegetation clearing and management, including mowing, pruning, trimming, and application of federal and state approved herbicides applied through approved state application methods within State Parks.*

The use of poisons, such as herbicides and pesticides, always entails potential negative impacts. There is no limit to the use of these poisons stated in this exemption. Will they apply poisons to hundreds of acres to State Park lands to kill “undesirable” vegetation? Mowing, pruning, and trimming are insignificant and small scale. The use of chemicals can be large scale.

In this same Class 4 is also Item #7. *Vector and pest control utilizing federal and state approved pesticides and other federal and state approved methods and applications within State Parks.*

Vector control can be done by numerous means, some of which are more environmentally harmful than others. The use of chemicals, which may be applied by aerial spraying, can seriously impact some people and nontarget animals and plants. In addition, it is not clear what constitutes a pest for this exemption. Is there a specific pest list, or is any species one considers undesirable a pest? Is a pest limited to insects, or does it include animals and plants? In addition to pesticide use, what other *federal and state approved methods and applications* would fall under this exemption? Would this include the use of biocontrol agents? What are the limits of the pest control in terms of acreage? What other species might be impacted by the action?

#### H. Unlimited Licensing Exemption

Aquatic Resources Exemption List Class 10, Item #5. *Licensing, permitting, registration, and letters of authorization – activities authorized in chapters 187A – 190, and 195D, HRS, or HAR, relating to issuance, review, approval, denial, amendment, revocation, suspension, or invalidation of licenses, permits, registration, letters of authorization, or other instruments, that manage or regulate fishing, aquatic life conservation, markets and trade in aquatic life, alien species to prevent or mitigate negative impacts of unintentional introductions and their impacts on native species and ecosystems, research on aquatic life and their ecosystems, the culturing or rearing of aquatic life, mitigation or restoration of habitats due to damage from natural or man-made disturbances, mitigation of user conflicts, or other agency responsibilities for taking, use, or possession of aquatic life, the aquatic environment, or the trade of aquatic life.*

While this exemption is under Class 10, “Continuing administrative activities including, but not limited to, purchase of supplies and personnel-related action”, the proposed Item #5 seems to be to allow the licensing, permitting, registration, and authorization of a long list of activities that obviously may have

negative environmental impacts. For the sake of brevity I shall simply call the Environmental Council's attention to this item and encourage thorough scrutiny of the proposed exempted activities.

#### IV. CONCLUSION

At a recent public DLNR meeting, the EA process was referred to as "red tape". The proposed EA exemptions for the DNLN try cutting through the red tape by allowing unlimited, and unreviewed, actions that threaten the environment.

Many of the activities that are proposed to be exempted in these DLNR exemption lists may be good to do. The proposed exemptions, however, assume that these activities will have no significant impact on the environment or culture, which is not necessarily true. Worthy actions should withstand the scrutiny of an EA.

I hope the above comments help the Environmental Council protect our environment and people by ensuring that the environmental review and public comment process of HEPA will continue for the types of activities listed above.

Thank you for your commitment to our environment and our future.

Sincerely,

Sydney Ross Singer  
Medical Anthropologist, Biologist, Author  
Director, Good Shepherd Foundation, Inc.  
sydsinger@gmail.com  
808-935-5563

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**From:** Syd Singer [mailto:sydsinger@gmail.com]

**Sent:** Wednesday, May 04, 2011 10:23 AM

**To:** Atkin, David

**Cc:** Robert.harris@sierraclub.org; everetto@oha.org; marti@kahea.org; octopus@maui.net; igibson@humansociety.org; Segundo, Leslie; Char, Alvin L Mr CIV US USA IMCOM; Pete Cooper; Office of Environmental Quality Control; margaretwille@mac.com; mary@outdoorcircle.org; Hooser, Gary L; Ted Bohlen

**Subject:** Re: Environmental Council>Exemption Subcommittee>DLNR Exemption lists

Aloha,

I have a question regarding the proposed EA exemption lists.

According to HAR 11-200-8(D), "Each agency, through time and experience, shall develop its own list of specific types of actions which fall within the exempt classes, **as long as these lists are consistent with both the letter and intent expressed in these exempt classes and chapter 343, HRS.** These lists and any amendments to the lists shall be submitted to the council for review and concurrence. The lists shall be reviewed periodically by the council." (Emphasis added.)

This means that exemptions are not supposed to be loopholes to get around doing an EA. Exempted actions must truly have insignificant impacts.

How can the Environmental Council come to an informed decision whether or not to concur with a proposed exemption list without subjecting the proposed exemption list to an EA review? How do you know whether or not exempting a class of actions will truly be insignificant without doing an EA?

Clearly, EA exemptions have the potential to cause significant impacts, or there would be no need for the environmental council to review them, get public comment, and then concur or not.

While HAR 11-200-8(D) does not specifically require an EA for EA exemptions lists, this does seem in compliance with the letter and the intent of the law, especially for agencies such as the DLNR. Actions under DLNR jurisdiction can have significant environmental and cultural impacts.

Shouldn't DLNR's development, proposal, and implementation of a new EA list constitute an action under HRS 343 that should require an EA?

--Syd

On Wed, Apr 13, 2011 at 8:33 PM, Atkin, David <Atkin@pbworld.com> wrote:

Aloha,

I apologize for not responding sooner to the various emails regarding the proposed DLNR exemption lists, and the exemption subcommittee meeting this coming Monday. Several points were raised and my initial reactions are provided below. Thank you for your interest in the exemption list process.

1. Adequate notice. The requirement is to satisfy the Sunshine Law. The exemption subcommittee meeting this coming Monday has been posted in accordance with the Sunshine Law. I agree with suggestions that the Environmental Notice and the OEQC web site consistently publicize meetings of the full Council and its subcommittees. This is a matter for OEQC, however.
2. The agenda of the Monday Exemption Subcommittee is attached. <<Apr 18 Exemp Agenda.pdf>> Because we have no Exemption Subcommittee members from neighbor islands, the meeting will be limited to Oahu and we won't have neighbor island hook-ups on Monday. I agree this is unfortunate.
3. I keep an email list of people who have told me they want to be informed of exemption subcommittee meetings. Since I have been chair of the subcommittee, I have distributed to this list immediately after sending the subcommittee agenda to the chair of the Environmental Council, who then coordinates the Sunshine compliance with OEQC staff. I am adding the names of people that have contacted me on the DLNR matter over the past week, so all of you will receive emails from me about upcoming exemption

committee meetings going forward. I do this as a courtesy. One can always publicize more, but anything costing money or requiring more effort would need to come from Director Hooser's severely limited budget and staff resources.

4. Public involvement. I wish there was more public involvement in all exemption subcommittee matters. With respect to DLNR, I want the Exemption Subcommittee to discuss with DLNR and stakeholders how to have a sufficiently inclusive process. Please understand that we cannot "meet" except at meetings that have been noticed as per Sunshine Law, so the Monday meeting will be the subcommittee's first opportunity to take up reasonable and appropriate means for public involvement on the DLNR exemption lists.
5. Decision-making on DLNR: The meeting on Monday is only 2 hours and DLNR is third on the agenda. We adjourn promptly at noon. Unfinished business will continue at the May meeting, presently scheduled for May 16. The decisions on DLNR that I hope get made next Monday will pertain to how to assure public involvement. I will make sure that whatever process is resolved is communicated to those receiving this message.
6. The decisions that the subcommittee typically makes relate to whether the proposed list is ready for public notice and posting, whether the agency has addressed the public input received, and does the subcommittee recommend concurrence of the list by the full Council. The full Council "concurs" with the revised list.
8. In almost every case, the subcommittee has the applicant revise the initially proposed list, prior to public notification in the Environmental Notice. No action can be taken until completion of the 30 day comment period that commences with the published notice of availability of the proposed list in The Environmental Notice. The lists have not been published yet because the exemption subcommittee hasn't yet approved them for public notice.
9. Testimony. Testimony welcome and accepted at any point. Please email to me and copy Les Segundo at OEQC ([ehs001oegc@doh.hawaii.gov](mailto:ehs001oegc@doh.hawaii.gov)). I will collect it and distribute to exemption subcommittee members. I will ask DLNR to respond to the points made. The agenda of Monday's meeting includes an opportunity for public testimony. Because this opportunity during the Monday meeting will only be available on Oahu, I encourage email testimony.
10. Monday's meeting **not** postponed. We meet infrequently enough to accomplish our mandate. The meeting was properly noticed per Sunshine. The subcommittee has work to do to resolve how to achieve proper public involvement in the case of DLNR, and how to address other procedural issues that have been posed by those following the DLNR lists. I don't see any point in deferring the start of this discussion, once the prior business on the agenda has been handled.

Comments on any item above welcome, but please understand I may not be able to engage in email discussions with everyone just because of limited time, since I'm a volunteer with a day job. Testimony on DLNR's proposed lists is most helpful. The comment period will end after 30 days after notice of availability of the lists for public review is published in the Environmental Notice. Since discussions with DLNR have not yet started, the exemption subcommittee has not yet approved the lists for public notice. In fact DLNR's lists may be revised prior to being approved for public notice in the Environmental Notice.

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**David Atkin**

***Parsons Brinckerhoff***

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NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



Telephone (808) 586-4185  
Fax (808) 586-4186  
Email: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov)

STATE OF HAWAII  
ENVIRONMENTAL COUNCIL  
235 SOUTH BERETANIA STREET, SUITE 702  
HONOLULU, HAWAII 96813

MARY STEINER  
Chairperson  
Vice-Chairperson  
DAVID ATKIN  
GIL BERGER  
ALVIN CHAR  
PETE COOPER  
ROBERT INOUYE  
GARY HOOSER (EX-OFFICIO)  
SUSAN MATSUSHIMA  
JOHN RICHARDS  
IAN SANDISON  
CHRISTOPHER STEELE  
JAMES SULLIVAN  
SHANNON MEARS  
IRIS TERASHIMA  
AKUTAGAWA, MALIA

**LEGISLATIVE COMMITTEE MEETING**  
**Keoni Ana Building**  
**1177 Alakea Street, Rm. 302, Honolulu, HI**  
**May 11, 2011**  
**1:00 pm –2:00 pm**

**A G E N D A**

1. Call to Order
2. Review Recently Passed Legislation Pertinent to Environmental Council
3. Discuss which Items to Recommend to Council for Consideration
4. Public Testimony
5. Schedule Next Meeting
6. Adjournment

|                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A map of downtown Honolulu, Hawaii, showing streets such as Alakea St, Beretania St, Punchbowl St, and Richards St. Landmarks like the Cathedral of Our Lady of Peace and the Kamama! Playground are marked. The map is credited to Google. | <p><b><u>Parking Permits Valid in Lots:</u></b><br/><b><u>(Parking permits for Environmental Council Members Only)</u></b></p> <ol style="list-style-type: none"><li>1. Iolani Palace (Meters Only)<br/>South King and Richards Street</li><li>2. Department of Health (Meters Only)<br/>1250 Punchbowl Street, Honolulu</li><li>3. State Capitol Basement (Meters Only)<br/>415 South Beretania Street, Honolulu</li></ol> <p>Note: See back of the <u>parking permit</u> for list of available parking.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Special Accommodations (such as Sign Language interpreter, large print, taped materials) can be provided, if requested at least five (5) working days before the scheduled meeting by contacting the Office of Environmental Quality Control, 235 South Beretania Street, Room 702, Honolulu, Hawaii 96813. All interested persons will have an opportunity to present testimony on any agenda item for this meeting. For more information, contact the Office of Environmental Quality Control at (808) 586-4185 (voice), (808) 586-4186 (fax), or email: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov).

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SHANNON MEARS  
IRIS TERASHIMA  
MALIA AKUTAGAWA

**EXEMPTION SUB-COMMITTEE MEETING**  
**State Office Tower Building**  
**235 S. Beretania Street, Room 203**  
**Honolulu, HI 96813**  
**May 11, 2011**  
**9:00 am – 12:00 pm**

**A G E N D A**

1. Introductions
2. City and County of Honolulu, Department of Transportation Services
3. Department of Land and Natural Resources:
  - a. Department wide exemptions
4. Public Testimony
5. New Business
6. Adjournment

|                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A map of downtown Honolulu, Hawaii, showing streets such as S. King St, S. Beretania St, and Punchbowl St. Landmarks like the Cathedral of Our Lady of Peace and the State Capitol are marked. The map is credited to Google. | <p><b><u>Parking Permits Valid in Lots:</u></b><br/>(Parking permits for Environmental Council Members Only)</p> <ol style="list-style-type: none"><li>1. Iolani Palace (Meters Only)<br/>South King and Richards Street</li><li>2. Department of Health (Meters Only)<br/>1250 Punchbowl Street, Honolulu</li><li>3. State Capitol Basement (Meters Only)<br/>415 South Beretania Street, Honolulu</li></ol> <p>Note: See back of the <u>parking permit</u> for list of available parking.</p> |
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**Department of Land and Natural Resources  
Proposed Department-wide Exemptions**

Exemption Sub-Committee Meeting  
State Office Tower Building  
235 S. Beretania St., Rm. 203, Hon. HI  
May 11, 2011, 9:00am-12:00pm

**1. Class 1. New**

Mitigation of any hazardous conditions that present imminent danger and are necessary to protect public health, safety, welfare, or public trust resources.

**2. Class 3. Number 1 (DOFAW - June 12, 2008)**

Fences [to include areas no greater than 10 acres] around or to manage [individual or small colonies of] rare, threatened or endangered plants, covered and open areas for endangered species [waterfowl, water birds, forest birds], game birds and mammals [pheasants, quail, partridges, pigs, sheep, goats, deer]; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries, hacking boxes, and for watershed and native forest management and restoration. Fences will contain step-overs or other features that permit pedestrian access for cultural and recreational use.

**3. Class 1. New**

Emergency mitigation and restoration work to prevent damage from continuing to occur and to restore the topographical features and biological resources to the condition that existed prior to the incident.

**4. Class 4. New**

Emergency mitigation and restoration work to prevent further damage from occurring and to restore the topographical features and biological resources to the condition that existed prior to the incident.

**Bernard P. Carvalho, Jr.**  
Mayor



**Celia M. Mahikoa**  
Executive on Transportation

**Gary K. Heu**  
Managing Director

**TRANSPORTATION AGENCY**  
**County of Kaua'i, State of Hawai'i**  
3220 Ho'olako Street, Lihue, Hawai'i 96766  
TEL (808) 241-6410 FAX (808) 241-6417

**COMPREHENSIVE EXEMPTION LIST FOR THE COUNTY OF KAUA'I**  
**TRANSPORTATION AGENCY**  
January 10, 2011

According to section 11-200-8, Hawai'i Revised Rules, the Transportation Agency may declare exempt the following types of actions from the requirement to prepare an environmental assessment.

The Transportation Agency shall not make exemption declarations when the cumulative impact of planned successive actions in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant, in a particularly sensitive environment. Sensitive areas may include, but are not limited to significant historical, archaeological and cultural sites, flood plains, wetlands, beaches, coastal areas, erosion-prone areas, geologically hazardous land, critical habitats, and estuaries.

**EXEMPTION CLASS #1:** Operation, repairs, or maintenance of existing structures, facilities, equipment or topographic features involving negligible or no expansion or change of use beyond that previously existing:

1. Maintenance of the following agency maintained lands and facilities;
  - a) Administrative, Maintenance, and baseyard facilities
  - b) Public transportation bus stops
  - c) Park and Ride locations
  
2. Overhauling, repairing, repainting, cleaning, polishing, greasing, oiling, and servicing of the following agency facilities, structures, and equipment;
  - a) Existing buildings, including the administrative building, repair shop and baseyard
  - b) Stationary and mobile motorized equipment
  - c) Public transportation bus stops, waiting lanes, shelters, benches, and bus-stop related accessories
  - d) Existing fences, curbing, walls and gates
  - e) Other minor structures not specified above

Comprehensive Exemption List for the County of Kaua'i  
Transportation Agency  
January 10, 2011

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EXEMPTION CLASS #2: Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.

1. Replace or reconstruct public transportation bus stop waiting lanes, shelters, benches, platforms, and bus-stop related accessories.
2. Replace portions of bus stops for accessibility improvements, including waiting lanes, boarding platforms, walkways, stairways, and ramps.

EXEMPTION CLASS #3: Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to:

1. Construction of public transportation bus stop waiting lanes, shelters, benches, platforms, and bus-stop related accessories.
2. Construction of accessibility improvements, including boarding platforms, walkways, stairways, and ramps.

EXEMPTION CLASS #4: Minor alteration in the conditions of land, water, or vegetation:

1. Landscaping alongside public transportation bus stops, park & ride locations, administrative and vehicle maintenance facilities.

EXEMPTION CLASS #5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource:

1. Public transit planning data collection
2. Field surveying
3. Public transit facility design alternative analysis
4. Communication / Media surveys

EXEMPTION CLASS #6: Construction or replacement of minor structures accessory to existing facilities:

1. Construction of public transportation bus stop waiting lanes, shelters, benches, platforms, and bus-stop related accessories.
2. Construction of accessibility improvements, including boarding platforms, walkways, stairways, and ramps.

EXEMPTION CLASS #7: Interior alterations involving things such as partitions, plumbing, and electrical conveyances:

1. Interior alterations and renovations to administrative and vehicle maintenance facilities.

EXEMPTION CLASS #10: Continuing administrative activities including, but not limited to, purchase of supplies and personnel-related actions.

1. Purchase of public transit buses and support vehicles.
2. Purchase of equipment necessary for the repair and maintenance of the public transportation fleet, support vehicles and facilities.
3. Right of entry agreements with private landowners.

May 9, 2011

Sydney Ross Singer, Petitioner  
P.O. Box 1880, Pahoa, Hawaii 96778  
808-935-5563  
sydsinger@gmail.com

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'11 MAY 10 P2:15

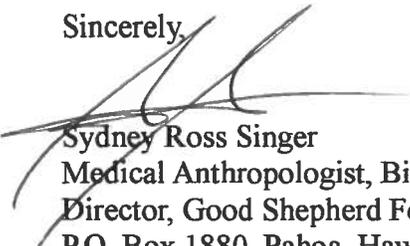
OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

To: Environmental Council  
Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, HI 96813

Enclosed is an original and 15 copies of a **PETITION FOR RULE AND/OR PROCEDURE CHANGE TO REQUIRE AN ENVIRONMENTAL ASSESSMENT TO BE PART OF THE PROCESS FOR THE ENVIRONMENTAL COUNCIL'S REVIEW AND CONCURRENCE WITH EA EXEMPTION LISTS.**

Thank you for your attention to this matter.

Sincerely,



Sydney Ross Singer  
Medical Anthropologist, Biologist, Author  
Director, Good Shepherd Foundation  
P.O. Box 1880, Pahoa, Hawaii 96778  
808-935-5563  
sydsinger@gmail.com

Discussed for  
approval on  
5/11 meeting

## MEETING OF THE ENVIRONMENTAL COUNCIL

April 18, 2011, 1400 hours – 1600 hours

Video Teleconference Centers (VTC): Island of O'ahu, Department of Accounting and General Services, Information and Communication Services Division, Keoni Ana Videoconference Center, 1187 Alakea Street, Room 302, Honolulu; Island of Kaua'i - Kaua'i District Health Office, Reading Room, 3040 'Umi St., Lihu'e; Island of Hawai'i - Hawai'i District Health Office, 1582 Kamehameha Ave., Hilo; and the Island of Moloka'i, University of Hawai'i Maui College, 375 Kamehameha V Highway, Kaunakakai

**PRESENT:** David Atkin; Peter Cooper; Gary Hooser (Director); Robert Inouye (via VTC from Kaua'i); Ian Sandison; James Sullivan; Mary Steiner (Chairperson); and, John Richards (via VTC Hawai'i).

**ABSENT:** Susan Matsushima; and Christopher Steele.

**STAFF:** Edward G. Bohlen, Esq. (Deputy Attorney General); Alcelia (Alice) Domingo (Secretary); and Leslie Segundo (Environmental Health Specialist).

**PUBLIC:** Malia Akutagawa (via VTC Moloka'i); Scot Glenn; Charles Prentiss; and Iris Terashima

1. CALL TO ORDER: With quorum present, Chairperson Steiner called the meeting to order at 1406 hours and welcomed incoming Environmental Council members (confirmed by the Senate, but not yet sworn into office).
2. CHAIRPERSON'S REPORT: (A) Chairperson Steiner reported that OEQC had an orientation for new Council members; (B) She also reported that she is working collaboratively with OEQC in securing a regular location and meeting date and time; (C) She reported that the next Environmental Council meetings will be on May 11, 2011, with the full Council meeting at 1400 hours in Keoni Ana 302.
3. DIRECTOR'S REPORT: Director Hooser reported that OEQC provided orientation for new Council members. He also reported that to date, SB 699 is alive and the fees generated from the bill, if enacted into law, would allow the OEQC to do its work. He reminded members of the June 30, 2011, retreat, tentatively scheduled as a half-day meeting for the Council (subject to Sunshine Law) at the Best Western Airport Inn. The retreat is scheduled to begin at 0830 hours, followed by a working lunch with a speaker and team building and strategic planning activities. He also noted that the OEQC is looking at grant writing opportunities, as well as collaborating with the Council on setting a regular meeting date and time and videoconference location. He thanks the members for their support in forging a new Office and a new Council. Mr. Richards reported that he will be out-of-State from June 24, 2011, until July 7, 2011.
4. APPROVAL OF THE FEBRUARY 15, 2011, MINUTES: There was no approval of the February 15, 2011, minutes.
5. STANDING COMMITTEE MEMBER PREFERENCES: Chairperson Steiner noted that due to conflicts at the committee level, quorum may not be met and to ensure that a quorum existed, she entertained a motion to have both the Chairperson and the Director sit as members of each of the standing committees. **MOTION:** Mr. Atkin moved, and Mr. Richards seconded that the Environmental Council designate both the Director of OEQC and the Council Chairperson as members of each standing committee (excluding investigative committees). A brief discussion followed. The Chairperson called for the question and the Environmental Council unanimously approved the motion (8-0-0). Chairperson Steiner also noted that to insure a smooth transition in July 2011, she would like current and incoming members to express their preferences for committee assignments. The current committee chairs (Messrs. Atkin, Cooper, Sandison and Sullivan) gave a brief overview of their committees roles and responsibilities. The following preferences were expressed: Akutagawa (Rules/Legislation); Atkin (Rules); Prentiss (Rules/Legislation); Glen (Rules/Legislation); Terashima (Rules/Annual Report);

Inouye (Exemption); Sullivan (Legislative/Annual Report). Mr. Richards noted that he drives four hours to get to and from his residence and the videoconference center in Hilo; Director Hooser agreed to look into finding a more technically feasible alternative for his participation in the work of the various committees and the Environmental Council. In response to a member query regarding what constitutes a quorum for committee meetings, Deputy Attorney General Bohlen agreed to research the issue and report back to the Council.

6. STANDING COMMITTEE REPORTS:

- A. EXEMPTIONS: Dr. Atkin, committee chair, reported that his committee met earlier in the day, and that he had one carry-over item from the meeting that was to have happened in March (but was cancelled) with respect to the County of Kauai Transportation Agency.
- (1) County of Kaua'i, Transportation Agency: **MOTION:** Mr. Atkin moved, and Mr. Cooper seconded that the Environmental Council concur with the County of Kaua'i Transportation Agency exemption list. A brief discussion followed. Chairperson Steiner called for the question. The Environmental Council unanimously approved the motion (8-0-0).
- (2) State of Hawai'i, Department of Accounting and General Services: **MOTION:** Mr. Atkin moved, and Mr. Cooper seconded that the Environmental Council concur with the State of Hawai'i, Department of Accounting and General Services exemption list. A brief discussion with questions and answers with Ms. Chris Kinimaka of the Department of Accounting General Services ensued. Mr. Richards noted that he had not yet received the document that was before the Council and he indicated that he may abstain from a vote. Another discussion ensued, after which Mr. Richards expressed his satisfaction with his colleagues' endorsement of the proposed list. Chairperson Steiner called for the question. The Environmental Council unanimously approved the motion (8-0-0).
- (3) State of Hawai'i, Department of Land and Natural Resources (DLNR): Mr. Atkin reported that his committee had met earlier with Deputy Director William Tam of the DLNR and his staff. He noted that the administrative record remains unclear as there were five or six lists (one department-wide, and one dealing with emergency response and hazard mitigation, and several by division) initially submitted by the DLNR in July 2010. He reported that DLNR had agreed to send to the Environmental Council their top three priorities. Mr. Atkin also noted that with respect to the three priorities expressed by Mr. Tam at the earlier meeting, the public testimony was mostly not on-point. Mr. Atkin also raised the issue of whether the Council would like to policy for dealing with broad, contentious issues at the standing committee level (with respect to videoconference testimony) since video links would only be provided for those islands that have resident Council members. Director Hooser responded that he would look into this issue. Finally, Mr. Atkin noted that with the upcoming proceedings for the DLNR, the committee may have to meet more frequently.
- B. RULES: Committee Chair Sandison (outgoing as of June 30, 2011) reported that with a new incoming Committee Chair, the Environmental Council will need to be more proactive especially with respect to supplemental statements, voluntary environmental impact statements, public notice of upcoming exemption declarations, cultural assessments, and voluminous and repetitive comments. He noted that the Council has the opportunity to act – before the Legislature does. Chairperson Steiner expressed her gratitude for his steadfast support and dedication as committee chair.
- C. ANNUAL REPORT: Committee Chair Cooper reported that the Committee needs to sit down with OEQC to address the staffing issue as well as working with the

Deputy Director for Environmental Health Gill to dovetail their respective reports to the legislature.

- D. LEGISLATION: Committee Chair Sullivan reported on the status of various bills pertaining to fees for OEQC, training for board members in native Hawaiian traditional and customary rights, broadband bill, the extension of the Act 87 sunset (work in the highway right-of-way), and the need for a cultural assessment to pass muster with OHA prior to inclusion in a final environmental impact statement.
7. MEETING ABSENCES POLICY/STATUTORY REQUIRMENT: Chairperson Steiner articulated the statutory requirement (HRS 92-15.5) requiring the removal of a board member for failure to attend three consecutive meetings that result in the board failing to meet a quorum. She noted that prior to every meeting she sends an electronic mail announcement to all members requesting their timely response so that quorum can be ascertained by OEQC.
8. CORRESPONDENCE: Chairperson Steiner reported that Mrs. Domingo provided one piece of correspondence that was copied to the members concerning a neighborhood board resolution on the O'ahu Metropolitan Planning Organization's 2035 Master Plan. Chairperson Steiner requested that OEQC send copies of future correspondence to all members by electronic mail.
9. PUBLIC TESTIMONY: Ms. Keiko Bonk testified that in a letter to the Environmental Council concerning the proposed exemption lists for the Department of Land and Natural Resources, she noted that some of the items included were controversial, such as the permit for taking aquatic life (for the aquarium industry). She noted that were it not for public participation, the proposed inclusion of the above would have likely gone unnoticed. She requested that the Environmental Council keep the public apprised of the upcoming proceedings.
10. NEW BUSINESS: Mr. Inouye requested that the members of the public that testify please get closer to the mike so that all may hear what is being said. The Chairperson announced that the next Environmental Council meeting would be on May 11, 2011. There was no other new business to discuss.
11. ADJOURNMENT: Chairperson Steiner adjourned the meeting at 1554 hours.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



GARY HOOSER  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
235 SOUTH BERETANIA STREET, SUITE 702  
HONOLULU, HAWAII 96813

In reply, please refer to:  
File:

May 5, 2011

**TO:** Lt. Governor's Office  
Fax: 586-0231

**FROM:** Office of Environmental Quality Control  
Fax: 586-4186  
Phone: 586-4185  
E-mail: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov)

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**Comments:**

Please see enclosed agendas for the Environmental Council, Legislative Committee, and Exemption Sub-Committee meeting on May 11, 2011.

Total pages (including cover sheet): 5

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