



STATE ENVIRONMENTAL COUNCIL

DEPARTMENT OF HEALTH, STATE OF HAWAII
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State of Hawai'i Environmental Council
Tuesday, March 6, 2018, 9:00 AM - 4:30 PM
Leiopapa A Kamehameha Bldg.
Room 204, 235 S. Beretania St, Honolulu, Hawaii 96813

1. Call to order, roll call and quorum, introductions
2. Council anticipates possibly voting to hold a brief executive meeting at 9:00 AM, closed to the public, under section 92-4 and -5, Hawai'i Revised Statutes (HRS) (Approximately 15 minutes).
3. Review and approval of prior meeting minutes:
 - a. Meeting held on February 20, 2018.
4. Approval to hold public hearings pursuant to Chapter 91, HRS and Chapter 343, HRS to:
 - (1) Repeal Chapter 11-200, Hawai'i Administrative Rules (HAR), entitled "Environmental Impact Statement Rules," and
 - (2) Promulgate Chapter 11-200.1, HAR, entitled "Environmental Impact Statements Rules."
 - a. Discussion will be based on Version 0.4a Rules and Rationale documents, and written comments received by the Environmental Council (attached and posted at <http://health.hawaii.gov/oeqc/rules-update/>).
 - b. Refer to the Environmental Council Rules Update Process document for how the Council plans to conduct the discussion and decision-making (attached and posted at <http://oeqc2.doh.hawaii.gov/Laws/v0.4-2018-02-21-EC-Rules-Update-Process.pdf>).
5. Approval of the OEQC Director to act on the Council's behalf in administrative matters regarding obtaining recommendations and administrative approvals for public hearings and conducting them. Anticipated recommendations and administrative matters include:
 - a. Legislative Reference Bureau approval as to form for repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR, including non-substantive revisions to the proposal;
 - b. Attorney General approval as to form for repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR, including non-substantive revisions to the proposal;
 - c. Preparation and submittal of the Small Business Impact Statement to the Small Business Regulatory Review Board;
 - d. Presentation to the Small Business Regulatory Review Board of

repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR;

- e. Preparation and posting of the public hearing notice for repealing Chapter 11-200, HAR and promulgating Chapter 11-200.1, HAR;
- f. Conduct of public hearings and preparing the report of the public hearings to the Council;
- g. Revisions to the unofficial Ramseyer version of Chapter 11-200.1, HAR to reflect the official version of Chapter 11-200.1, HAR;
- h. Selection of a hearing officer to conduct all hearings for the repeal of Chapter 11-200, HAR and promulgation of Chapter 11-200.1, HAR; and
- i. Other administrative tasks that may be necessary to schedule and conduct public hearings.

6. Adjournment

Note: The Environmental Council will recess at approximately 12:00 PM for a 1-hour lunch break.

Note: Public comments will be accepted on each agenda item prior to voting or completion of the agenda item.

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