

GM 548

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



GARY L. HOOSER
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY
CONTROL

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COMMITTEE ON ENERGY AND ENVIRONMENT

GM 548, Confirmation of Gubernatorial Nominee, SCOTT GLENN, to the Environmental Council, term expiring June 30, 2015

Testimony of Gary Hooser
Director of the Office of Environmental Quality Control

March 31, 2011

1 **Office's Position:** The Office of Environmental Quality Control strongly supports the
2 confirmation of Scott Glenn to serve as a member of the Environmental Council.

3 Mr. Glenn was one of the authors of the Final Report of the UH Environmental Review
4 Study, October 2010. Since the completion of the University study of Chapter 341 and 343,
5 Hawaii Revised Statutes, Scott has stayed active by attending Council meetings and participating
6 in the dialogue to improve and implement the relevant parts of the university study.

7 Scott has a Masters degree in urban and regional planning and is employed as a
8 professional planner. His practical experience in the "business of planning", his strong
9 educational foundation, and his participation through the university study has given him a unique
10 insight into environmental protection statutes such as Chapter 343 - and will make him a
11 valuable member of the Environmental Council. Therefore, I urge your support and
12 confirmation of Scott Glen as a new member of the Environmental Council.

13 Thank you very much.

Testimony of The Nature Conservancy of Hawai'i
Supporting G.M. 548 Submitting for Consideration and Confirmation to the Environmental Council
Gubernatorial Nominee, SCOTT GLENN, for a Term to Expire June 30, 2015
Senate Committee on Energy and Environment
Thursday, March 31, 2011, 3:00PM, Room 225

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy of Hawai'i supports the confirmation of Scott Glenn to the Environmental Council.

We have enjoyed and appreciated working with Mr. Glenn over the last few years in his capacity as a team member and co-author from the UH Dept. of Urban and Regional Planning that conducted a study of Hawaii's environmental review system, and in his capacity as a member of the working group appointed by this Committee in 2010 to make further recommendations on that system and Hawai'i law. We have found Mr. Glenn to be knowledgeable and thorough in this field. We also have seen that he is open to diverse points of view. We believe that Mr. Glenn is committed to the care and perpetuation of Hawaii's globally unique environment, and that he understands the balance needed to meet both the responsibilities of environmental protection and the needs of people in relation to the environment. We think he has the necessary skills and experience and will take a fair and balanced approach to the duties of the Environmental Council.

Thank you for this opportunity to support Mr. Glenn's confirmation.

BOARD OF TRUSTEES

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Sierra Club Hawai'i Chapter

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808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

March 3, 2011, 2:45 P.M.
(*Testimony is 1 page long*)

TESTIMONY IN SUPPORT OF GM 547, **GM 548**, GM 549, GM 550, and GM 573

Aloha Chair Gabbard and Members of the Committee:

The Hawai'i Chapter of the Sierra Club, with 8,000 dues-paying members and supporters, is proud to **support** the appointments of David Atkin, Scott Glenn, Charles A. Prentiss, Mary Steiner, and Marjorie F.Y. Ziegler to the Environmental Council.

These candidates, by their service in a public or private capacity, have demonstrated significant knowledge about Hawaii's unique and fragile environment. We believe these candidates know that achieving a balance between economic development and environmental quality is a necessary component to Hawaii's long-term growth, and can provide the thoughtful consideration and care specified under Haw. Rev. Stat. § 341-1.

OEQC is currently facing many challenges. It needs strong leadership to fulfill its mission of ensuring informed decision-making. We believe these candidates can provide that leadership, as well as ensure the state is achieving its environmental goals and policies.

Mahalo for the opportunity to testify.

Written Testimony
of
Mary Alice Evans
41-858 Laumilo Street
Waimanalo, Hawaii
to the
Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Tuesday, March 29, 2011
2:45 pm, Room 225
State Capitol

Re: GM 548
Consideration and Confirmation of Scott Glenn
for
Environment Council

Chair Gabbard, Vice-Chair English, and Members of the Committee:

I write in **strong support** for the confirmation of **Scott Glenn** as a member of the **Environmental Council**.

I am a planner in the Office of Planning and the current President of the American Planning Association-Hawaii Chapter. I am writing as an individual and my views do not necessarily represent those of either OP or APA.

I believe Scott's background and experience qualify him to serve as a member of the Environmental Council. Scott has a Master's Degree in Urban and Regional Planning from UH-Manoa. He is a member of the American Planning Association Hawaii Chapter and served as the student representative on the Chapter Executive Committee.

Scott also worked on the UH team that prepared the final report to LRB on Revision to Chapter 343. From this experience, Scott is very familiar with the issues facing the Environmental Council and the views of the various stakeholders who participate in the environmental assessment process.

I have worked with Scott over the last couple of years and I believe that, if you confirm him as a member of the Environmental Council, he will carry out the intent of the enabling legislation that created the Environmental Council with the highest standards of integrity and care. Scott is a good listener and weighs facts and balances the costs and benefits of various outcomes.

I urge you to recommend Scott Glenn to the full Senate for confirmation as a member of the Environmental Council. Thank you for the opportunity to offer these comments.



UNIVERSITY
of HAWAII®
MĀNOA

The William S. Richardson School of Law
Professor Denise Antolini

Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Public Hearing: March 29, 2011
2:45 pm, Room 225

**Re: GM 548, Relating to Gubernatorial Nominee Scott Glenn
for the State Environmental Council**

Dear Chair Gabbard, Vice Chair English, and Members of the Committee,

I am writing in **strong support** of GM 548, the gubernatorial nomination of Scott Glenn for the State Environmental Council.

I have had the pleasure of working very closely with Scott for the past four years on the University of Hawai'i's study of the State's environmental review system, prepared for the State Legislature (Act 1, 2008) (Kim, Antolini, Rappa, Glenn & Lowen, Final Report on Hawaii's Environmental Review System, Oct. 2010).

Scott is *very knowledgeable* about Chapters 341, 342, and 343, the related regulations, as well as state land use and planning laws. He is extremely smart, balanced in his viewpoints, thoughtful, creative, and committed to strengthening our state environmental review system for the benefit of all stakeholders. Particularly given his solid training at the UH Department of Urban and Regional Planning, his involvement with the Hawaii Chapter of the American Planning Association, and his current position with a very fine Honolulu environmental consulting firm, Scott's expertise and professional reputation only continues to grow stronger building upon his exceptional abilities and cutting edge thinking in this area of law and policy.

Having served on the State Environmental Council myself and worked closely with Scott on the study, *I can wholeheartedly recommend his appointment to the State Environmental Council*. I think he will serve Hawaii with excellence and make a positive difference as OEQC and the Council move forward to improve the governance of our state environmental review system. Please support his nomination.

Thank you for the opportunity to testify

A handwritten signature in cursive script that reads "Denise Antolini".

Denise Antolini
Professor of Law & Director, Environmental Law Program

March 28, 2011

Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Public Hearing: March 29, 2:45PM, Room 225

Re: GM 548, Relating to Gubernatorial Nominee Scott Glenn for Environmental Council

Dear Chair Gabbard, Vice Chair English, and Members of the Committee,

I am writing in support of the gubernatorial nomination of Scott Glenn for the Environmental Council.

I have had the opportunity to work closely with Mr. Glenn over the course of several months in 2010 when we served together as members of the Senate's Working Group on Revisions to Chapter 343. I found him to be thoughtful and well-prepared.

Mr. Glenn subsequently served on a sub-committee of the Hawaii Chapter of the American Planning Association that I chaired in December 2010 and January 2011 to prepare a recommendation to the legislature on the University of Hawaii's final report on Chapter 343 Recommendations. It was here that I feel that I got to see the real Scott Glenn in action. Although he and I differed substantively on several matters of legislative philosophy, he demonstrated consistently a willingness to consider all points of view and to seek compromise as a means of breaking log-jams. In fact, because of our philosophical differences, I asked him to review and edit our final report to the Chapter's Executive Committee, knowing that he would bring a balanced voice to our report.

I am confident that he will serve the State well in the capacity as a member of the Environmental Council and I look forward to his calm and insightful presence on the Council.

Thank you for the opportunity to testify

Lee Sichter
Principal Planner
Belt Collins Hawaii Ltd.
2153 North King Street, Suite 200
Honolulu, Hawaii 96819
808-521-5361

March 28, 2011

Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Public Hearing: March 29, 2:45PM, Room 225

Re: GM 548, Relating to Gubernatorial Nominee Scott Glenn for Environmental Council

Dear Chair Gabbard, Vice Chair English, and Members of the Committee:

I am writing in support of the gubernatorial nomination of Scott Glenn for the Environmental Council. Scott has his Master's degree in Urban and Regional Planning from the University of Hawaii at Manoa and is an active participant in the American Planning Association, Hawaii Chapter. He was a key collaborator in the recent UH Study of Hawaii's Environmental Review System and was a co-author of the final report. Consequently, he is exceptionally knowledgeable about HRS 343 and HAR 200. In addition, he has a broad understanding of environmental assessment systems used elsewhere in the United States and internationally. He is passionate and well-informed about contemporary issues in environmental sustainability and he works well in collaborative settings. As a former member of the Environmental Council (1982-1990) and Council Chair (1986-1990) I am certain Scott would be an engaged and productive member of the Council and without reservation recommend his confirmation to the Council.

Thank you for the opportunity to testify.

Sincerely,
George Krasnick
Pacific Regional Manager, TEC Inc.
1003 Bishop Street, Suite 1550
Honolulu, Hawaii 96813
808-528-1445
gjkrasnick@tecinc.com

Senator Mike Gabbard
Chair
Senate Committee on Energy and Environment

RE: Governor Message 548 Nomination of Scott Glenn to the Environmental Council

Aloha Chair Gabbard, Vice Chair English and Members of the Senate Committee on Energy and Environment. My name is Peter Rappa and I am testifying in support of Scott Glenn's nomination to the Environmental Council. During my 31 years as a University of Hawaii at Manoa faculty member I have worked as an environmental planner, many of those years with the Environmental Center as their Environmental Legislative Coordinator. I have also conducted three major reviews of the state's EIS process under chapter 343 in 1978, 1991, and finally in 2009-2010, a study you and the Committee are very familiar with. However, I am retired now from the University and am speaking as an individual. My remarks should not be construed as an official position of the Environmental Center or the University of Hawaii.

I believe that Scott Glenn's nomination to the Environmental Council is one of the best to that body that could have been made. Scott is well prepared and uniquely qualified to serve on the Council. Scott was one of the main participants in the 2009-2010 EIS study which this Committee discussed in great detail during the last session. As one of the main authors, Scott learned how the Environmental Council operates and what constraints the Council faces. He is fully aware of the recommendations made by our study group on how to improve the operation of the Council. I believe he will take that knowledge with him to the Council and work to implement some of the needed change.

More important, Scott understands the Council's duties encompasses more than its role in the state's EIS process. He is aware of the larger duty the Council has for advising the Office of Environmental Quality Control's Director and developing the Council's report card on the environment and will be an important voice in both those activities. Scott will come to the Council fully ready to serve with minimum time to be oriented to his duties and responsibilities. As an added bonus, Scott has a personality that other members and the OEQC Director will find easy to take.

I urge the Committee to approve his nomination to the Environmental Council and pass it on to the full Senate for consent. Thank you for the opportunity to comment on this nomination.

Peter Rappa
Faculty Emeritus
University of Hawaii (retired)
374 Kaumakani Street
Honolulu Hawaii 96825

March 25, 2011

Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Public Hearing (Amended Notice): March 31, 2011

Re: GM 548, Relating to Gubernatorial Nominee Scott Glenn for Environmental Council

Dear Chair Gabbard, Vice Chair English, and Members of the Committee:

I am writing in support of the gubernatorial nomination of Scott Glenn for the Environmental Council.

I believe Scott will bring a fresh and well-informed perspective to the Council. Glenn has a Master's degree in Urban and Regional Planning from the University of Hawaii at Manoa and currently works in the private sector preparing environmental assessments. He was a participant in the recent UH Study of Hawaii's Environmental Review System and the co-author of the final report. These experiences provide a balance of academic scholarship with practical, real-world application of our environmental review system.

I have known Scott for several years in the context of the Hawaii Chapter of the American Planning Association, in which he is an active member. I am impressed by his intelligence, open-mindedness, personable style, and especially his commitment to improving our environmental review processes. I know he would be a positive contributor to the Council.

Thank you for the opportunity to testify,



Paul V. Luersen, AICP
pluersen@hawaii.rr.com
47-102 Hui Kelu Place
Kaneohe, HI 96744

Note: Mr. Luersen earned a Master's degree in City and Regional Planning from Harvard's Graduate School of Design in 1978. He is a member of the American Institute of Certified Planners and is currently a Director-at-Large of the Hawaii Chapter of the American Planning Association. He is currently the Vice President and Hawaii Area Manager of CH2M HILL, an environmental, planning, design, and construction firm.



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March 31, 2011

Senate Committee on Energy and Environment
Senator Mike Gabbard, Chair
Senator J. Kalani English, Vice Chair

Public Hearing: March 31, 2:45PM, Room 225

Re: GM 548, Relating to Gubernatorial Nominee Scott Glenn for Environmental Council

Dear Chair Gabbard, Vice Chair English, and Members of the Committee,

I am writing in support of the gubernatorial nomination of Scott Glenn for the Environmental Council.

I have worked with Scott on various planning issues since his time as a student at University of Hawaii in the Department of Urban and Regional Planning. He has always been thoughtful, insightful, courteous of other views, and collaborative. Scott had been part of the UH review study of Hawaii's Chapter 343, and he was exposed through that process to a wide range of perspectives in the community dialogue. This invaluable experience will help shape deliberations that need to take place on the Council to improve its workings and relevance.

I do not think you can find a more sincere, trustworthy, and respected individual than Scott for the important work ahead by the Environmental Council. He has my 100 percent support, and deserves your recommendation for approval by the full Senate.

Thank you for the opportunity to testify

A handwritten signature in black ink that reads 'Cheryl D. Soon'.

Cheryl D. Soon, Ph.D., FAICP
Director, Planning Group
SSFM International
501 Sumner Street, Suite 620
Honolulu, Hawaii 96817
csoon@ssfm.com

Testimony in support of GM 548, Scott Glenn appointment to Environmental Council.

I strongly support Scott Glenn's appointment to the Environmental Council. Scott worked on the UH study addressing possible reforms to Hawaii's environmental review process. He has maintained involvement in this topic beyond the end of the study. He has a wealth of information on the topic. He would make a valuable addition to the Environmental Council.

David Atkin

Parsons Brinckerhoff

1001 Bishop Street, Suite 2400

Honolulu, Hawaii 96813

USA

atkin@pbworld.com

808-566-2205

Testimony for ENE 3/31/2011 3:00:00 PM GM548

Conference room: 225

Testifier position: support

Testifier will be present: No

Submitted by: David Henkin

Organization: Individual

Submitted on: 3/29/2011

Comments:

I am writing in support of the nomination of Scott Glenn to serve on the Environmental Council.

Last session, I participated in the Environmental Working Group that Chair Gabbard convened to seek consensus on reforms to Chapter 343. In that capacity, I had the chance to work with Mr. Glenn, who was a member of the UH Study Team that developed the recommendations that served as the starting point for the Working Group's discussions. Mr. Glenn demonstrated a strong commitment to improving Hawai'i's environmental review process and an ability to work with stakeholders representing very diverse interests and perspectives. I am confident that he will help the Council perform its tasks and urge the committee to support his nomination.

Mahalo for the opportunity to provide this testimony.

March 31, 2011

The Honorable Mike Gabbard, Chair
The Honorable J. Kalani English, Vice Chair
Senate Committee on Energy and Environment
Hawaii State Senate
Honolulu, HI 96813

RE: GM 548—Testimony in strong support of Scott Glenn Gubernatorial Nominee to the Environmental Council

Aloha Senators Gabbard, English and Members of the Committee:

Please accept this testimony in strong support of nominee Scott Glenn for a term to the Environmental Council (EC). I am Mary Steiner. Please be aware that I am presenting this testimony as a private citizen and not on behalf of any organization, council or committee.

I met Scott when he was working with the University of Hawai'i to prepare the study for the Legislative Reference Bureau on the assessment of Hawaii's Environmental Review Process. In addition to being friendly, thoughtful and outgoing, he also is knowledgeable and goes above and beyond to be helpful.

Scott participated in one of the EC's subcommittees set up to review proposed legislation at the beginning of this legislative session. His comments were always insightful and informative. He helped the committee consider positions which were later brought to the full EC for a vote. He clearly has a great deal of respect for the process. From my dealings with Scott I have no doubt that he will be an asset to the Environmental Council. He fully understands the workings of the Council and the commitment that is being asked of him.

I urge this committee to support his nomination to the Environmental Council.

Thank you for your time.

Mary Steiner
2169 Ahaku Place
Honolulu, HI 96821
808-225-4563

GM 548

Aloha Chair Gabbard, Vice Chair English, and honorable members of the Senate Energy and Environment Committee,

I am writing in **STRONG SUPPORT** of Governor Abercrombie's nomination of Scott Glenn to the Environmental Council. As you may know, Mr. Glenn has worked with the chapter 343 working group for two years, indicating his direct experience studying the very legal provisions he will be helping to implement. He has also demonstrated to myself personally his specific expertise of the legal subject matter and cultural and socioeconomic issues surrounding the environmental council's responsibilities, most recently by voluntarily presenting guidance to both state and federal partners in understanding the legal requirements of Hawai'i's environmental review laws. On a personal level, I strongly believe Mr. Glenn also has the passion, dedication, and social awareness that would make him an invaluable addition to our state's environmental review process.

Thank you very much for your consideration in this matter.

Mahalo nui,
Wayne Tanaka
2221 Booth Rd.
Honolulu, Hawai'i 96813

Scott Glenn
GM548
Gubernatorial Nominee for the Environmental Council

(1) Why do you wish to be a member of the Environmental Council?

The Environmental Council has a critical role in Hawaii's environmental review process. Chapter 341, HRS, tasks the Environmental Council with the power to make, amend, or repeal administrative rules. Hawaii Administrative Rules 11-200, "Environmental Impact Statement Rules," has not been updated since 1996. During the past 15 years, Chapters 341 and 343 have undergone periodic revision, most notably to include Cultural Impact Assessments. Also, court cases have influenced how the environmental review process is implemented, a recent example being the Turtle Bay/Kuilima case involving supplemental documents. I intend to modernize Hawaii's administrative rules to reflect changes in the statutes and common practice, and to address 21st century challenges such as sustainable development.

(2) How do you perceive the role and responsibilities of a member of the Environmental Council?

A member of the Environmental Council has a variety of roles and responsibilities. Foremost is the duty to ensure that the administrative rules provide sufficient clarity, certainty, and consistency to have an effective environmental review process. This is best achieved through public and stakeholder consultation and careful deliberation. A member of the Council has a role in communicating concerns about environmental quality to the OEQC Director from the general public, which need not occur only during Council meetings, but as a general duty of the position. The Council is also responsible for monitoring the State's progress in achieving environmental goals and policies, which includes the preparation of a report on the topic. This involves continuous conversation and collaboration with state and county agencies.

(3) Given your understanding of the role and responsibilities of a member of the Environmental Council, why do you believe that you are qualified for the position? Please include a brief statement of your skills, expertise, or knowledge that would aid in your decision-making ability as a member of the Environmental Council.

I am qualified to serve on the Environmental Council because of my past experience as a researcher of Hawaii's environmental review process, practice as a professional in the planning field, and work with communities and volunteer groups to encourage greater civic participation in the democratic process. As a participant in the UH Study from 2008-2010, I interviewed stakeholders in a variety of sectors, developed statutory and regulatory recommendations, coordinated stakeholder involvement, negotiated the legislative process, and produced the final report. The UH Study resulted in legislative and administrative proposals for modernizing

Scott Glenn
GM548
Gubernatorial Nominee for the Environmental Council

Hawaii's environmental review process. Many of these proposals have a broad base of support for implementation.

As a practicing planner responsible for authoring environmental review documents, I understand the concerns of agencies and applicants in having a process that provides certainty and predictability. I also have experience coordinating and collaborating with state and county agencies for the completion of the environmental review process.

Also, in my volunteer time, I participate in activities that encourage greater civic participation. I have served as a precinct captain at Noelani Elementary School for the State Elections Office for the primary and general elections in 2008 and 2010. I am the Communications Director for the Sierra Club Capitol Watch, where we encourage the general public to take a more proactive role in the legislative process through writing testimony and attending hearings. This experience exemplifies my commitment to public participation in decision making.

(4) What do you hope to accomplish during your term of service?

During my term of service, I intend to finish updating the backlog of agency exemption lists, draft proposed rules for cultural impact assessments and supplemental documents, and raise the profile of the Environmental Council as a forward-thinking body capable of responding to our current-day issues, such as energy and food supplies, climate change, and sustainable development.

(5) Name three qualities that best describe you and that would make you stand out. How would these qualities benefit the Environmental Council?

I am considered to be knowledgeable, fair-minded, and collaborative. As a member of the Council, I would bring considerable knowledge not only of Hawaii's environmental review process, but also those of federal agencies and other states. When presented with a decision, I seek to learn as much as I can and understand the viewpoint of those who would be affected by it. This leads me to practice collaborative planning, which is how a Council operates, especially one tasked with listening to public concerns about environmental quality.

(6) Name one previous experience that would make you stand out. How would this benefit the Environmental Council?

From 2008-2010, I was a member of the UH Study of Hawaii's Environmental Review Process. First as a graduate student and later as a full-time researcher, I

Scott Glenn
GM548
Gubernatorial Nominee for the Environmental Council

gained expertise in Hawaii's process, statutes and administrative rules; and an appreciation for the perspectives and interests of various stakeholders in the environmental review process, particularly government, private applicants, and public interest groups. I understand the institutional pressures on the Environmental Council and its recent challenges, as well as efforts of the current Council to improve itself.

(7) Can you foresee any possible conflicts of interests that could arise during your service on the Environmental Council? How would you overcome any possible conflicts of interest?

The Environmental Council's primary activities involve rule-making and updating agency exemption lists. These are unlikely to conflict with my duties as an employee of a private planning firm.

However, the Council also serves as a liaison between the OEQC Director and the public about environmental quality. Such matters brought before the Council or decisions made by it may pertain to projects in which I may be involved. In the event of a conflict, I would recuse myself from the discussion. Even when conflict may not be present, the perception of conflict influences the legitimacy of decision making. Were a perception of conflict of interest possible, I would ask the advice of my colleagues on the Council and recuse myself from the discussion if appropriate.