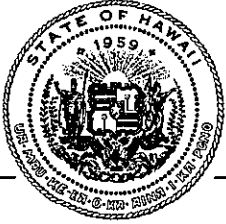


SB 2745



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR
RICHARD C. LIM
DIRECTOR
MARY ALICE EVANS
DEPUTY DIRECTOR
JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
AND
SENATE COMMITTEE ON WATER, LAND AND HOUSING**
Thursday, February 23, 2012
2:15 PM
State Capitol, Conference Room 225

in consideration of
**SB 2745
RELATING TO ENVIRONMENT.**

Chairs Gabbard and Dela Cruz, Vice Chairs English and Solomon, and Members of the Senate Committees on Energy and Environment and Water, Land and Housing.

The Office of Planning (OP) supports SB 2745, which proposes to amend the Hawaii State Planning Act, Hawaii Revised Statutes (HRS) Chapter 226, by adding a climate change adaptation priority guideline to part III of the Act.

The purpose of this bill is to encourage collaboration and cooperation between county, state, and federal agencies, policy makers, businesses, and other community partners to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of future generations. The bill is structured as a priority guideline to the State Planning Act, which falls under the jurisdiction of OP under HRS Chapters 226 and 225M.

OP views climate change as a serious threat to the State of Hawaii and its people, natural resources, economy, food and water security, and public infrastructure, and as such, we have found ways to help prepare the State of Hawaii for the impacts of climate change through its planning functions, the Coastal Zone Management Program, existing mandates (such as the Ocean Resources Management Plan under HRS Chapter 205A-61), and with the support of county, state, and federal agencies and other stakeholders. While there are a number of climate change planning efforts on-going through various initiatives, we believe this measure will provide a solid policy foundation from which current and future planning efforts can be coordinated in a meaningful and effective way. Adding a climate change priority guideline to the State Planning Act will provide the basis for climate change considerations in all state and county planning, will provide the necessary authority for agencies to commit resources, and will provide a statewide framework with which to guide state and county agencies, as well as other stakeholders, on how to reduce Hawaii's vulnerability and increase resilience to the effects of climate change, and therefore be better prepared to adapt to the changing environment.

Thank you for the opportunity to submit testimony on this measure.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on Energy and Environment
and Water, Land and Housing
Thursday, February 23, 2012 at 2:15 PM

By

Virginia Hinshaw, Chancellor

And

Charles H. Fletcher, Associate Dean
School of Ocean and Earth Science and Technology
University of Hawai'i at Mānoa

SB 2745 RELATING TO ENVIROMENT

Chairs Gabbard and Dela Cruz, Vice Chairs English and Solomon, and Members of the Senate Committees on Energy and Environment and Water, Land and Housing; the School of Ocean and Earth Science and Technology is in favor of SB 2745, which proposes to amend the Hawai'i State Planning Act, Hawai'i Revised Statutes (HRS) Chapter 226, by adding a climate change adaptation priority guideline to part III of the Act.

Global warming is changing the climate of the Hawaiian Islands. Scientists have documented local increases in air temperature, sea level, ocean acidification and ocean temperature. Rainfall has decreased. Each of these changes will have significant impacts on the natural resources we rely upon and on the natural hazards that threaten our communities. By requiring that climate adaptation be considered in the design and engineering of planning activities, you will be taking a strong first step in protecting the public from the most dangerous aspects of climate change.

This bill will also result in improved collaboration between county, state, and federal agencies, non-governmental organizations, the business community and other decision-makers for the purpose of defining steps that would achieve maximum protection of public health and safety as well as protection of natural resources for future generations.

BIA-HAWAII
BUILDING INDUSTRY ASSOCIATION

**Testimony to Senate Committees on Water, Land, and Housing & Energy and
Environment**

Thursday, February 3, 2012

2:15 p.m.

Capitol Room 225

RE: S.B. 2745, Relating to Environment

Good morning Chairs Dela Cruz and Gabbard, Vice-Chairs Solomon and English, and members of the Committees:

My name is Gladys Quinto Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, BIA-Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii **supports the intent** of S.B. 2745, which proposes to create a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines.

As drafted, the bill proposes to amend Chapter 226, HRS to require the office of planning to focus on preparing for and adapting to the expected impacts of climate change. The purpose of this bill is to encourage collaboration and cooperation between county, state, and federal agencies, policy makers, businesses, and other community partners to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of future generations.

BIA-Hawaii believes that guidance through effective public policy legislation is the first step the State needs to develop plans for the anticipated impacts of climate change.

For the foregoing reasons, BIA-Hawaii supports the intent of S.B. 2745.

Thank you for the opportunity to share with you our views.



**Testimony to the Senate Committees on Water, Land and Housing, and
Energy and Environmental
Thursday, February 23, 2012
2:15 p.m.
State Capitol - Conference Room 225**

RE: SENATE BILL NO. 2745 RELATING TO ENVIRONMENT

Chairs Dela Cruz and Gabbard and Vice Chairs Solomon and English, and members of the committees:

The Chamber of Commerce of Hawaii supports the intent of S.B. No. 2745. The bill proposes to create a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

As drafted, the bill proposes to amend Chapter 226, HRS to require the office of planning to focus on preparing for and adapting to the expected impacts of climate change. The purpose of this bill is to encourage collaboration and cooperation between county, state, and federal agencies, policy makers, businesses, and other community partners to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of future generations.

The Chamber believes that guidance through effective public policy legislation is the first step the State needs to develop plans for the anticipated impacts of climate change.

Thank you for this opportunity to express our views.

Testimony of The Nature Conservancy of Hawai'i
Supporting S.B. 2745 Relating to Environment
Senate Committee on Energy and Environment
Senate Committee on Water, Land and Housing
Thursday, February 23, 2012, 2:15PM, Rm. 225

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawai'i'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 supports S.B. 2745 to amend the Hawai'i State Planning Act to include guiding policies for adapting to the effects of climate change.

Climate change is an imminent and unprecedented threat to natural systems (e.g., forests, coastlines, coral reefs, wetlands) and to every person in Hawai'i that—whether they know it or not—depends on services from the natural environment for their livelihoods, health and welfare. Scientists have examined the evidence and rapid climate change is real; it is clearly caused by human activity; it is already a problem for habitat for plants and animals; and, if sources of CO₂ are not dramatically reduced, climate change could well have catastrophic results for people and their relationship with the natural environment.

Even if we drastically reduce CO₂ emissions now, we will still feel the effects of climate change. In Hawai'i, science indicates that this may include:

- More frequent and more severe storms, and increased runoff and siltation;
- Overall, less rainfall and therefore less fresh water;
- Higher temperatures that may affect the health of forested watersheds;
- Climatic conditions even more conducive to invasive plants, insects and diseases;
- Sea level rise and high wave events that will harm coastal areas and groundwater systems; and
- Ocean acidification that will inhibit the growth of protective coral reefs.

We must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. Two of the most effective tools we have to help address the effects of climate change in Hawai'i is to protect our forests and coral reefs. Healthy and diverse Hawaiian forests act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events. Healthy coral reefs that are free of non-native invasive algae and runoff are better able to withstand the effects of temperature changes and acidification, while continuing to provide food and storm protection for coastal areas.

We support this measure and look forward to being a part of successful adaptation strategies in our area of expertise related to the natural environment of these islands.

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Center for Island Climate Adaptation and Policy

University of Hawai'i Sea Grant College Program

2525 Correa Road • HIG Room 212 • Honolulu, Hawai'i 96822 • Telephone: (808) 956-2865 • Facsimile: (808) 956-3014

Written Testimony Presented Before the
Senate Committees on Energy and Environment, and
Water, Land, and Housing
Thursday, February 23, 2012 at 2:15 p.m.

by

Maxine Burkett, Associate Professor, William S. Richardson School of Law and
Director, Center for Island Climate Adaptation and Policy
University of Hawai'i at Mānoa

SB 2745 Relating to Environment

Chairs Gabbard and Dela Cruz, Vice Chairs English and Solomon, and members of the committees:

As a focal point for University of Hawai'i climate expertise, the Center for Island Climate Adaptation and Policy ("ICAP") serves as a two-way conduit between the University and island communities to catalyze climate change adaptation and resiliency. ICAP supports Senate Bill 2745, and the companion House Bill 2483, which would amend the Hawaii State Planning Act to include a climate change adaptation priority guideline.

Adopting a priority guideline will encourage vital adaptation projects and facilitate state and county collaboration to address an issue that has far reaching impacts. The proposed amendment offers an initial step toward prioritizing and implementing critical statewide adaptation strategies.



Marine and Coastal Zone Advocacy Council
Ke Kahu O Na Kumu Wai

MACZAC Members:

Hawaii Island

Michael Gleason

Roy Takemoto

Kauai

Rhoda Makanani Libre

Bryan Mamaclay

Lanai

Robin Kaye

Maui

Donna L. Brown

James E. Coon

Henry T.S. Lau

Molokai

Michael Sabas

Oahu

Susan A. Sakai

Kimbal Thompson

Statement of

JAMES E. COON

MACZAC REPRESENTATIVE

before the

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

AND

SENATE COMMITTEE ON WATER, LAND AND HOUSING

Thursday, February 23, 2012

2:15 PM

State Capitol, Conference Room 225

in consideration of

SB 2745

RELATING TO THE ENVIRONMENT.

Chairs Gabbard and Dela Cruz, Vice Chairs English and Solomon, and Members of the Senate Committees on Energy and Environment and Water, Land and Housing.

The Marine and Coastal Zone Advocacy Council supports SB 2745, which proposes to amend the Hawaii State Planning Act, Hawaii Revised Statutes (HRS) Chapter 226, by adding a climate change adaptation priority guideline to part III of the Act.



Marine and Coastal Zone Advocacy Council

Ke Kahu O Na Kumu Wai

The purpose of this bill is to encourage collaboration and cooperation between

MACZAC Members:

Hawaii Island
Michael Gleason
Roy Takemoto

Kauai
Rhoda Makanani Libre

Bryan Mamacalay
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Michael Sabas

Oahu

Susan A. Sakai

Kimbal Thompson

county, state, and federal agencies, policy makers, businesses, and other community partners

to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land,

and property of future generations. The bill is structured as a priority guideline to the State

Planning Act, which falls under the jurisdiction of OP under HRS Chapters 226 and 225M.

MACZAC views climate change as a serious threat to the State of Hawaii and its people,

natural resources, economy, food and water security, and public infrastructure, and as such,

we have found ways to help prepare the State of Hawaii for the impacts of climate change

through its planning functions, the Coastal Zone Management Program, existing mandates

(such as the Ocean Resources Management Plan under HRS Chapter 205A-61), and with the

support of county, state, and federal agencies and other stakeholders.

Adding a climate change priority guideline to the State Planning Act will provide the basis for climate change considerations in all state and county planning, will provide the necessary authority for agencies to commit resources, and will provide a statewide framework with which to guide state and county agencies, as well as other stakeholders, on how to reduce Hawaii's vulnerability and increase resilience to the effects of climate change, and therefore be better prepared to adapt to the changing environment.

Sincerely,

James E. Coon, ORMP Representative on MACZAC



WINDWARD AHUPUA'A ALLIANCE

From the Peaks of *Na Ko'olau* to the Outer Reefs

*Community-Based Planning
Sustainable Economic Development
Restoration, Preservation, Protection & Public Access
Educational & Cultural Programs*

COMMITTEE ON ENERGY & ENVIRONMENT

*Sen. Mike Gabbard, Chair
Sen. J. Kalani English, Vice Chair*

COMMITTEE ON WATER, LAND, AND HOUSING

*Sen. Donovan Dela Cruz, Chair
Sen. Malama Solomon, Vice Chair*

2:15 pm

Thursday, February 23, 2012

Conference Room 225

SB 2745 - RELATING TO ENVIRONMENT

Comments and Proposed Amendments

My name is Shannon Wood, the president & co-founder of the *Windward Ahupua'a Alliance*, a 501c3 Hawai'i non-profit corporation, which was established in July, 2002. *WAA* works to educate & inform residents, visitors, businesses, policymakers at all three levels of government, and the media about the short and long-term impacts of climate change, global warming & rising sea levels around the world - including both legislative and administrative policy changes.

I've been professionally involved with these issues for nearly 15 years now and have not only focused on public policy issues but also have taken a number of collegiate-level marine & climate science classes and service project trips to learn more about climate change impacts on the world.

In addition to my work here in Hawai'i, for the past three years, I've been actively involved in a national advocacy group based in Washington, D.C. and at the *United Nations* in New York City focusing on Pacific Ocean issues.

This *Abercrombie Administration* bill along with the *House* version - HD 2483 HD1 - which is pending a Finance Committee hearing - caught me completely off-guard. After all, I've been working on these issues in this building for a very long time; however, no one told me about the public policy shift away from mitigation to adaptation - two very different concepts - and upcoming legislation.

If you intend to make a decision today, there is not enough time in this hearing to go through SB 2745 line-by-line. However, there are three main points I'd like you to consider now in determining whether to move this bill forward.

P.O. Box 6366
Kane'ohe, HI 96744
E-Mail: info@waa-hawaii.org

Voicemail: 808/247-6366
Cellular: 808/223-4481
Website: <http://www.waa-hawaii.org>

The first issue deals with the Ocean Resources Management Plan Policy Group and Working Group.

According to the language in the bill, the two groups, along with other stakeholders from academia, business and Native Hawaiian communities, met for a two-day conference in August 2011 to address a wide range of climate change issues to implement the first steps of the Framework for Climate Change Adaptation in Hawai'i (November 2009). Monthly meetings have continued during which the foundation for this bill was laid out.

Sounds great - except the first time I heard/read about the groups was in reading the two bills. I asked a number of colleagues as to whether they took part and how did they find out about it. I couldn't find out why I wasn't invited to take part.

Several people did say that participation in the two-day meeting was **BY INVITATION ONLY** and that the follow-up meetings have not been publicized. I was told by one participant that I could attend the next monthly meeting, but I probably wouldn't be able to participate in the discussions although I could certainly take notes.

The second issue deals with the bill's vagueness in its core language and the lack of legislative recommendations to address the critical issues we have to address NOW - not in the dim & distant future.

Not only did your committees defer action on SB 2120 which would have established a *Climate Change Task Force* to recommend legislative actions but also your companion committees in the *House* deferred action on HB 2330 which would have required the *Office of Planning* and the four county planning offices to take into account a predicted sea level rise by 2050 when permitting and planning for development.

Instead what you are recommending is legislation that contains mooshy, feel-good language that doesn't really do anything to mitigate - or adapt - to what Hawai'i is going to be like 40 years from now.

- (1) Ensure that Hawaii's people are educated, informed, and aware of the impacts climate change may have on their communities;
- (2) Encourage community stewardship groups and local stakeholders to participate in planning and implementation of climate change policies;
- (3) Invest in continued monitoring and research of Hawaii's climate and the impacts of climate change on the State;
- (4) Consider Native Hawaiian traditional knowledge and practices in planning for the impacts of climate change;
- (5) Encourage the preservation and restoration of natural landscape features (such as coral reefs, beaches and dunes, forests, streams, floodplains, and wetlands) that have the inherent capacity to avoid, minimize, or mitigate the impacts of climate change;
- (6) Explore adaptation strategies that moderate harm or exploit beneficial opportunities in response to actual or expected climate change impacts to the natural and built environments;
- (7) Promote sector resilience (in areas such as water, roads, airports, and public health) by encouraging the identification of climate change threats, assessment of potential consequences, and evaluation of adaptation options;
- (8) Foster cross-jurisdictional collaboration between county, state, and federal agencies and partnerships between government and private entities and other non-governmental entities, including non-profit entities;
- (9) Use management and implementation approaches that encourage the continual collection, evaluation, and integration of new information and strategies into new and existing practices, policies, and plans;
- (10) Encourage planning and management of the natural and built environments that effectively integrate climate change policy.

The third issue has to do with money - or its lack. In fact, this bill doesn't even move on to **Ways and Means** if you pass it out. Based upon my experiences with the *Office of Planning* in both the *Lingle* and the *Abercrombie Administrations* on three other issues other than climate change, the employees there are over-worked and under-staffed. If no money - or not enough - is allocated, the subject issues are either dropped to the bottom of the agenda or the tasks in the legislation are adjusted to meet the lack of funding

In its current iteration, I urge that you defer further action on **SB 2745 - RELATING TO ENVIRONMENT** and wait to see if the *House* version crosses over OR add the language from **SB 2120** and **HB 2330** in this bill to address the concerns I raise.

Mahalo for the opportunity to present my grave concerns about this bill.