

JAN 17 2014

A BILL FOR AN ACT

RELATING TO CLIMATE CHANGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act shall be known as the Hawaii Climate
2 Adaptation Initiative Act. The legislature finds that climate
3 change is the paramount challenge of this century, posing both
4 an urgent and long-term threat to the State's economy,
5 sustainability, security, and way of life.

6 The 2012 Pacific Islands Regional Climate Assessment found
7 that throughout the Pacific warmer and drier conditions will
8 decrease fresh water supplies. Rising sea levels, exacerbated
9 by storms, will increase coastal flooding and erosion, damaging
10 coastal ecosystems and infrastructure and affecting agriculture,
11 tourism, military bases, and other industries. Higher sea-
12 surface temperatures will increase coral bleaching, leading to
13 coral death and habitat loss. Increasing ocean acidification
14 will have negative consequences for the entire marine ecosystem.
15 In the long term, open-ocean fisheries will decline. Rising
16 temperatures, and in some areas reduced rainfall, will increase
17 the risk of extinctions. Threats to the traditional lifestyles
18 of indigenous communities may include destruction of coastal



1 artifacts and structures and reduced availability of traditional
2 food sources and subsistence fisheries, which will make it
3 difficult for Pacific Island communities to sustain their
4 connection with a defined place and their unique set of customs,
5 beliefs, and languages.

6 The legislature further finds that beach erosion, drought,
7 and rising temperature are already having measurable impacts on
8 Hawaii and are expected to accelerate in the years to come.
9 With beaches continuing to erode, rain continuing to diminish,
10 and sea levels projected to rise one foot by 2050 and three feet
11 by 2100, Hawaii is highly vulnerable.

12 In 2012, the legislature enacted Act 286, Session Laws of
13 Hawaii 2012, creating Climate Change Adaptation Priority
14 Guidelines encouraging collaboration to address climate change
15 and recognizing that it will impact the following: agriculture;
16 conservation lands; coastal and nearshore marine areas; natural
17 and cultural resources; education; energy; higher education;
18 health; historic preservation; water resources; the built
19 environment, such as housing, recreation, transportation; and
20 the economy.

21 In 2013 Hawaii's landmark policies were included in the
22 international Majuro Declaration for Climate Leadership when



1 Hawaii signed on as the first sub-national government, after
2 which President Obama appointed Governor Abercrombie as one of
3 eight governors to the State, Local and Tribal Leaders Task
4 Force on Climate Preparedness and Resilience.

5 Hawaii is one the last coastal states that has yet to adopt
6 a statewide climate adaptation plan, yet is among the most
7 vulnerable.

8 The legislature also finds that it is time to ensure that
9 Hawaii adapts to the effects of climate change before they grow
10 beyond our ability to prevent the worst impacts on our economy,
11 environment, and way of life.

12 The purpose of this Act is to address the effects of
13 climate change through 2050 to protect the State's economy,
14 health, environment, and way of life by establishing a statewide
15 climate adaptation plan that will:

- 16 (1) Assess the major areas of expected climate impacts in
17 Hawaii;
- 18 (2) Create a model framework for assisting communities in
19 developing recommendations for climate adaptation
20 based on site specific studies;



- 1 (3) Develop short- and long-term plans and actionable
2 policy recommendations to ensure the state and
3 counties address the impacts of climate change;
- 4 (4) Establish an interagency climate council to facilitate
5 ongoing coordination among state departments,
6 counties, federal agencies, and partners; and
- 7 (5) Update expected impacts and adaptation policies every
8 five years, as necessary.

9 SECTION 2. The Hawaii Revised Statutes is amended by
10 adding a new chapter to be appropriately designated and to read
11 as follows:

12 "CHAPTER

13 INTERAGENCY CLIMATE COUNCIL

14 "§ -1 Interagency climate council; coordinator; general
15 functions, duties, and powers. (a) There is established on
16 January 1, 2015, an interagency climate council that shall be
17 temporarily placed within the office of the governor; provided
18 that on January 1, 2018, the interagency climate council shall
19 be permanently established within the department of land and
20 natural resources for administrative purposes only.



1 (b) Coordination of the interagency climate council shall
2 be headed by the governor's sustainability coordinator. The
3 coordinator shall have, at minimum:

4 (1) Professional training or work experience in the field
5 of environmental science and environmental
6 sustainability; and

7 (2) Direct experience in programs, projects, or services
8 relating to climate change.

9 (c) The coordinator shall:

10 (1) Develop a climate change impact report that contains
11 the following:

12 (A) Identification of the major areas of climate
13 change impact affecting the State and counties
14 through 2050;

15 (B) Impact expectations based on the latest
16 scientific research for each issue area through
17 2050;

18 (C) Identification of economic ramifications of major
19 climate impacts;

20 (D) Analysis of climate change adaptation planning in
21 other jurisdictions relevant to Hawaii; and



1 (E) A model framework for assisting communities in
2 developing recommendations for climate adaptation
3 based on site specific studies.

4 The report shall be published pursuant to this
5 paragraph no later than December 31, 2015, and shall
6 be updated every five years.

7 (2) Develop a plan to transition the interagency climate
8 council's administrative placement to the department
9 of land and natural resources by no later than January
10 1, 2018.

11 (d) The interagency climate council shall include the
12 following members:

13 (1) The chairs of the standing committees of the
14 legislature with subject matter encompassing
15 environmental protection;

16 (2) The chairperson of the board of land and natural
17 resources or the chairperson's designee;

18 (3) The director of business, economic development, and
19 tourism or the director's designee;

20 (4) The director of the office of planning or the
21 director's designee;



- 1 (5) The chairperson of the board of directors of the
2 Hawaii tourism authority or the chairperson's
3 designee;
 - 4 (6) The chairperson of the board of agriculture or the
5 chairperson's designee;
 - 6 (7) The chief executive officer of the office of Hawaiian
7 affairs or the officer's designee;
 - 8 (8) The chairperson of the Hawaiian homes commission or
9 the chairperson's designee;
 - 10 (9) The director of transportation or the director's
11 designee;
 - 12 (10) The adjutant general or the adjutant general's
13 designee; and
 - 14 (11) The chairperson of the board of education or the
15 chairperson's designee.
- 16 (e) In addition to the members listed in subsection (d),
17 the following shall be requested to participate in the
18 activities of the interagency climate council:
- 19 (1) The governor;
 - 20 (2) The commander of the United States Pacific Command;
 - 21 (3) The director of the department of planning and
22 permitting of the city and county of Honolulu;



- 1 (4) The planning director of the Kauai county planning
2 department;
- 3 (5) The planning director of the planning department of
4 the county of Hawaii;
- 5 (6) The director of the department of planning of the
6 county of Maui;
- 7 (7) The president of the University of Hawaii;
- 8 (8) The director of the University of Hawaii sea grant
9 program;
- 10 (9) The executive director of the national disaster
11 preparedness training center at the University of
12 Hawaii at Manoa;
- 13 (10) The dean of the school of ocean and earth science and
14 technology of the University of Hawaii at Manoa;
- 15 (11) The dean of the college of tropical agriculture and
16 human resources of the University of Hawaii at Manoa;
- 17 (12) The regional administrator of region A of the United
18 States Environmental Protection Agency or regional
19 administrator's designee;
- 20 (13) The regional administrator of region IX of the Federal
21 Emergency Management Agency of the United States
22 Department of Homeland Security;



- 1 (14) The Honolulu field office director of the United
2 States Department of Housing and Urban Development;
3 (15) The commander and district engineer for the Honolulu
4 district, United States Army Corps of Engineers;
5 (16) A representative of the National Oceanic and
6 Atmospheric Administration;
7 (17) A representative of the United States Department of
8 Energy;
9 (18) A representative of the United States Department of
10 Agriculture; and
11 (19) Representatives of any other agency or organization
12 related to climate change that the coordinator
13 designates as appropriate.

14 (f) The council shall be responsible for implementing a
15 general state policy to address the effects of climate change
16 through 2050 to protect the State's economy, health,
17 environment, and way of life.

18 **§ -2 Definitions.** As used in this chapter:

19 "Council" means the interagency climate council."

20 SECTION 3. Section 225M-2, Hawaii Revised Statutes, is
21 amended by amending subsection (b) to read as follows:



1 "(b) The office of planning shall gather, analyze, and
2 provide information to the governor to assist in the overall
3 analysis and formulation of state policies and strategies to
4 provide central direction and cohesion in the allocation of
5 resources and effectuation of state activities and programs and
6 effectively address current or emerging issues and
7 opportunities. More specifically, the office shall engage in
8 the following activities:

9 (1) State comprehensive planning and program coordination.
10 Formulating and articulating comprehensive statewide
11 goals, objectives, policies, and priorities, and
12 coordinating their implementation through the
13 statewide planning system established in part II of
14 chapter 226;

15 (2) Strategic planning. Identifying and analyzing
16 significant issues, problems, and opportunities
17 confronting the State, and formulating strategies and
18 alternative courses of action in response to
19 identified problems and opportunities by:

20 (A) Providing in-depth policy research, analysis, and
21 recommendations on existing or potential areas of
22 critical state concern;



- 1 (B) Examining and evaluating the effectiveness of
2 state programs in implementing state policies and
3 priorities;
- 4 (C) Monitoring through surveys, environmental
5 scanning, and other techniques--current social,
6 economic, and physical conditions and trends; and
- 7 (D) Developing, in collaboration with affected public
8 or private agencies and organizations,
9 implementation plans and schedules and, where
10 appropriate, assisting in the mobilization of
11 resources to meet identified needs;
- 12 (3) Planning coordination and cooperation. Facilitating
13 coordinated and cooperative planning and policy
14 development and implementation activities among state
15 agencies and between the state, county, and federal
16 governments, by:
- 17 (A) Reviewing, assessing, and coordinating, as
18 necessary, major plans, programs, projects, and
19 regulatory activities existing or proposed by
20 state and county agencies;



- 1 (B) Formulating mechanisms to simplify, streamline,
2 or coordinate interagency development and
3 regulatory processes; and
- 4 (C) Recognizing the presence of federal defense and
5 security forces and agencies in the State as
6 important state concerns;
- 7 (4) Statewide planning and geographic information system.
8 Collecting, integrating, analyzing, maintaining, and
9 disseminating various forms of data and information,
10 including geospatial data and information, to further
11 effective state planning, policy analysis and
12 development, and delivery of government services by:
- 13 (A) Collecting, assembling, organizing, evaluating,
14 and classifying existing geospatial and non-
15 geospatial data and performing necessary basic
16 research, conversions, and integration to provide
17 a common database for governmental planning and
18 geospatial analyses by state agencies;
- 19 (B) Planning, coordinating, and maintaining a
20 comprehensive, shared statewide planning and
21 geographic information system and associated
22 geospatial database. The office shall be the



1 lead agency responsible for coordinating the
2 maintenance of the multi-agency, statewide
3 planning and geographic information system and
4 coordinating, collecting, integrating, and
5 disseminating geospatial data sets that are used
6 to support a variety of state agency applications
7 and other spatial data analyses to enhance
8 decision-making. The office shall promote and
9 encourage free and open data sharing among and
10 between all government agencies. To ensure the
11 maintenance of a comprehensive, accurate, up-to-
12 date geospatial data resource that can be drawn
13 upon for decision-making related to essential
14 public policy issues such as land use planning,
15 resource management, homeland security, and the
16 overall health, safety, and well-being of
17 Hawaii's citizens, and to avoid redundant data
18 development efforts, state agencies shall provide
19 to the shared system either their respective
20 geospatial databases or, at a minimum, especially
21 in cases of secure or confidential data sets that
22 cannot be shared or must be restricted, metadata



1 describing existing geospatial data. In cases
2 where agencies provide restricted data, the
3 office of planning shall ensure the security of
4 that data; and

5 (C) Maintaining a centralized depository of state and
6 national planning references;

7 (5) Land use planning. Developing and presenting the
8 position of the State in all boundary change petitions
9 and proceedings before the land use commission,
10 assisting state agencies in the development and
11 submittal of petitions for land use district boundary
12 amendments, and conducting periodic reviews of the
13 classification and districting of all lands in the
14 State, as specified in chapter 205;

15 (6) Coastal and ocean policy management. Carrying out the
16 lead agency responsibilities for the Hawaii coastal
17 zone management program, as specified in chapter 205A.
18 Also, developing and maintaining an ocean and coastal
19 resources information, planning, and management system
20 further developing and coordinating implementation of
21 the ocean resources management plan, and formulating

1 ocean policies with respect to the exclusive economic
2 zone, coral reefs, and national marine sanctuaries;

3 (7) Regional planning and studies. Conducting plans and
4 studies to determine:

5 (A) The capability of various regions within the
6 State to support projected increases in both
7 resident populations and visitors;

8 (B) The potential physical, social, economic, and
9 environmental impact on these regions resulting
10 from increases in both resident populations and
11 visitors;

12 (C) The maximum annual visitor carrying capacity for
13 the State by region, county, and island; and

14 (D) The appropriate guidance and management of
15 selected regions and areas of statewide critical
16 concern.

17 The studies in subparagraphs (A) to (C) shall be
18 conducted at appropriate intervals, but not less than
19 once every five years; [~~and~~]

20 (8) Regional, national, and international planning.

21 Participating in and ensuring that state plans,
22 policies, and objectives are consistent, to the extent



1 practicable, with regional, national, and
2 international planning efforts[-]; and

3 (9) Climate adaptation planning. In coordination with
4 stakeholder groups consisting of state and county
5 government agencies, academia, federal partners, and
6 private and nonprofit organizations, the office shall:

7 (A) Develop, monitor, and evaluate strategic climate
8 adaptation plans and actionable policy
9 recommendations for the State and counties
10 addressing expected climate change impacts
11 through the year 2050 in major climate issue
12 areas identified by the sustainability
13 coordinator's report, pursuant to section -
14 1(c)(1);

15 (B) Provide planning and policy guidance and
16 assistance to the interagency climate council and
17 state and county agencies regarding climate
18 change.

19 The office shall publish its findings,
20 recommendations, and progress reports on actions taken
21 pursuant to subparagraph (A) no later than December



1 31, 2016, and shall publish updated reports every five
2 years."

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$110,000 or so much
5 thereof as may be necessary for fiscal year 2014-2015 to provide
6 the office of planning with staffing including two full-time
7 equivalent (FTE) positions, and resources to carry out the
8 mission of the office and assist state and county agencies with
9 scientific evaluation, research, planning, and policy guidance
10 relative to strategic climate change adaptation plans for the
11 State of Hawaii.

12 The sum appropriated shall be expended by the office of
13 planning for the purposes of this Act.

14 SECTION 5. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$400,000 or so much
16 thereof as may be necessary for fiscal year 2014-2015 to enable
17 the sustainability coordinator to research and develop a
18 coordinated, multidisciplinary climate change study pursuant to
19 this Act.

20 The sum appropriated shall be expended by the office of the
21 governor for the purposes of this Act.



1 SECTION 6. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$50,000 or so much
 3 thereof as may be necessary for fiscal year 2014-2015 for the
 4 interagency climate council to carry out its duties pursuant to
 5 this Act.

6 The sum appropriated shall be expended by the office of the
 7 governor.

8 SECTION 7. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 8. This Act shall take effect upon its approval;
 11 provided that sections 4, 5, and 6 take effect on July 1, 2014.

12

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S.B. NO. 2344

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S.B. NO. 2349

Report Title:

Majority Package; Climate Change Adaptation Planning; Inter-Agency Climate Council; Appropriation.

Description:

Addresses climate change adaptation by tasking the sustainability coordinator to create initial reports identifying expected climate impacts. Tasks the Office of Planning with establishing and implementing strategic climate adaptation plans and policy recommendations based on reports from sustainability coordinator. Establishes an interagency climate council with the task of implementing a general state policy to address climate change through 2050. Appropriates funds for staffing and resources. Effective July 1, 2014.

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