



OFFICE OF ENVIRONMENTAL QUALITY CONTROL

DEPARTMENT OF HEALTH | 235 South Beretania Street, Suite 702, Honolulu, HI 96813 | oeqchawaii@doh.hawaii.gov

DAVID Y. IGE
GOVERNOR

SCOTT GLENN
DIRECTOR

(808) 586-4185

Testimony of
SCOTT GLENN, Director

before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Tuesday, March 21, 2017

8:35 AM

State Capitol, Conference Room 325

in consideration of
HOUSE CONCURRENT RESOLUTION 203 / HOUSE RESOLUTION 131

URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL, IN COOPERATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL AND THE LEGISLATIVE REFERENCE BUREAU, TO PREPARE ENVIRONMENTAL AND LEGAL OPINIONS OF FUTURE STATE REGULATIONS AND LEGISLATION THAT MIGHT BE DEEMED NECESSARY TO COMBAT CLIMATE CHANGE AND PREVENT THE REGRESSION OF ENVIRONMENTAL PROTECTION.

Chair Lee, Vice Chair Lowen, and Members of the House Committee on Energy and Environmental Protection,

The Office of Environmental Quality Control (OEQC) administers Hawai'i Revised Statutes (HRS) Chapter 343, Environmental Impact Statements (EIS). The purpose of the EIS law is to "establish a system of environmental review which ensures that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations" (HRS §343-1). Additionally, the OEQC serves "the Governor in an advisory capacity on all matters relating to environmental quality control," as directed in HRS §341-3.

The OEQC supports the intent of these resolutions. Given the scope of the proposal, other efforts to combat climate change underway in Hawai'i, and the evolving nature of the federal government at this time, leading this proposed effort in collaboration with the Department of the Attorney General and the Legislative Reference Bureau would require a high degree of coordination and research that would strain our current resources. We have a request into the Legislature for increased funding and an office assistant position to enable the OEQC to better fulfill its current obligations and undertake requests such as this. Should the Legislature make the appropriate, the OEQC would be better situated to undertake this request. Therefore, the OEQC requests that the Legislature revisit this proposal in the future.

Thank you for the opportunity to testify on this measure.

Charlotte A. Carter-Yamauchi
Director

Shawn K. Nakama
First Assistant

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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

HCR203/HR131

URGING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL, IN COOPERATION WITH THE DEPARTMENT OF THE ATTORNEY GENERAL AND THE LEGISLATIVE REFERENCE BUREAU, TO PREPARE ENVIRONMENTAL AND LEGAL OPINIONS OF FUTURE STATE REGULATIONS AND LEGISLATION THAT MIGHT BE DEEMED NECESSARY TO COMBAT CLIMATE CHANGE AND PREVENT THE REGRESSION OF ENVIRONMENTAL PROTECTION

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the House Committee on Energy & Environmental Protection

Tuesday, March 21, 2017, 8:30 a.m.
Conference Room 325

Chair Lee and Members of the Committee:

Good morning Chair Lee and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.C.R. No. 203/H.R. No. 131, Urging the Office of Environmental Quality Control, in Cooperation with the Department of the Attorney General and the Legislative Reference Bureau, to Prepare Environmental and Legal opinions of Future State Regulations and Legislation that might be Deemed Necessary to Combat Climate Change and Prevent the Regression of Environmental Protection.

The purpose of these measures is to urge the Office of Environmental Quality Control:

- (1) In coordination with the Department of the Attorney General, to prepare environmental and legal opinions of future state regulations that might be deemed necessary to combat climate change and prevent the regression of environmental protection;

- (2) In coordination with the Legislative Reference Bureau, to complete a study of the potential legislation needed to maintain climate change environmental protection; and
- (3) In coordination with the Department of the Attorney General and the Legislative Reference Bureau, submit a report of its findings, analyses, and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2018.

The Bureau takes no position on this measure, but submits the following comments for your consideration regarding the request that the Office of Environmental Quality Control (OEQC) and the Bureau study "potential legislation needed to maintain climate change environmental protection."

As drafted, the scope of the study requested of the OEQC and the Bureau seems overly broad and does not provide sufficient guidance on what constitutes "maintain[ing] climate change environmental protection." Furthermore, there is no guarantee that federal legislation or regulations will be enacted or amended within the timeframe that the study is to be performed. Consequently, the OEQC and the Bureau would probably be unable to perform any meaningful analysis, thus rendering any such evaluation a simple exercise in conjecture. Moreover, if federal legislation and/or regulations are drafted in a manner that prohibit states from enacting more stringent environmental standards, then proposing state legislation to maintain higher environmental protection standards would be futile.

It seems that, while the purpose of these measures is commendable, without actual proposed federal legislation or regulations to evaluate, the study requested in these measures may be premature.

Thank you again for your consideration.



Healthy Climate Communities

Testimony in support of HCR203

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Hearing Tuesday, March 21, 2017 8:30 a.m.

Aloha Chair Lee, Vice-Chair Lowen and committee members,

Please support HCR203.

This visionary bill seeks to protect our State even as federal protections are repealed haphazardly at an alarming rate. While we will suffer from increased rates of climate change, at least our remote geographic location will protect us from more localized pollution if we maintain standards in our own state. States on the mainland that share rivers, local air pollutants and other environmental hazards are not as well positioned to protect themselves.

Mahalo,

Dr. Lisa Marten
Executive Director
Healthy Climate Communities
healthyclimate@hawaii.rr.com

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 8:49 AM
To: EEPtestimony
Cc: daniel.dano.gardner@gmail.com
Subject: Submitted testimony for HCR203 on Mar 21, 2017 08:30AM

HCR203

Submitted on: 3/20/2017

Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Gardner	Individual	Comments Only	No

Comments: It is paramount that Hawaii be prepared to react in a informed and positive manner to any repeal or elimination of Federal environmental safeguards. Thank you supporting this very meaningful and proactive legislation.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 19, 2017 7:39 PM
To: EEPtestimony
Cc: sundownertoni@yahoo.com
Subject: Submitted testimony for HCR203 on Mar 21, 2017 08:30AM

HCR203

Submitted on: 3/19/2017

Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Support	No

Comments: I strongly support this resolution. It will strengthen the science regarding climate change and defend us against the monkey trial atmosphere to come.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 18, 2017 3:04 PM
To: EEPtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HCR203 on Mar 21, 2017 08:30AM*

HCR203

Submitted on: 3/18/2017

Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 10:44 PM
To: EEPtestimony
Cc: marti.townsend@sierraclub.org
Subject: *Submitted testimony for HCR203 on Mar 21, 2017 08:30AM*

HCR203

Submitted on: 3/20/2017

Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marti Townsend	Sierra Club of Hawai'i	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 20, 2017 9:40 PM
To: EEPtestimony
Cc: 333cory@gmail.com
Subject: Submitted testimony for HCR203 on Mar 21, 2017 08:30AM

HCR203

Submitted on: 3/20/2017
Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments: Aloha legislators, Please support this measure to protect us from the excesses of people now in power--like the expected cutting of half of EPA's staff and appointments of climate change deniers to the EPA. mahalo, Cory Harden

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 19, 2017 2:44 PM
To: EEPtestimony
Cc: launahele@yahoo.com
Subject: *Submitted testimony for HCR203 on Mar 21, 2017 08:30AM*

HCR203

Submitted on: 3/19/2017

Testimony for EEP on Mar 21, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Benton	Individual	Support	No

Comments:

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