

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of**  
**SUZANNE D. CASE**  
**Chairperson**

**Before the Senate Committees on**  
**GOVERNMENT OPERATIONS**  
**and**  
**PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**  
**and**  
**AGRICULTURE AND ENVIRONMENT**

**Tuesday, March 28, 2017**  
**2:46 PM**  
**State Capitol, Conference Room 224**

**In consideration of**  
**SENATE CONCURRENT RESOLUTION 98/SENATE RESOLUTION 42**  
**REQUESTING STATE AND COUNTY AGENCIES TO UPDATE ADMINISTRATIVE**  
**RULES TO ADOPT ENVIRONMENTAL PROTECTION STANDARDS THAT ARE AT**  
**LEAST AS STRINGENT AS THE FEDERAL STANDARDS AS OF JANUARY 1, 2016,**  
**OR JANUARY 1, 2017, WHICHEVER ARE MORE STRINGENT**

Senate Concurrent Resolution 98/Senate Resolution 42 request state and county agencies to update administrative rules to adopt environmental protection standards that are at least as stringent as the federal standards as of January 1, 2016, or January 1, 2017, whichever are more stringent. **The Department of Land and Natural Resources (Department) supports these resolutions for Hawaii to take local leadership responsibility to ensure strong environmental protection standards and offers the following comments.**

Administrative rules for the Department already follow, and in some cases exceed, federal environmental protection standards, fulfilling Hawaii constitutional mandates under Article XI, Section 1.

Collaboration between the Department and our federal partners to monitor and enforce environmental protection issues throughout the state is ongoing. Efforts to identify gaps created by less stringent state rules would require state funding support for this review.

Thank you for the opportunity to comment on these measures.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFERY T. PEARSON, P.E.**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



**Conservation Council  
for Hawai'i**

*Hawai'i's voice for wildlife*

*Kō Hawai'i leo no nā holoholona lōhiu*



Testimony Submitted to the Senate Committee on Government Operations,  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs,  
And Senate Committee on Agriculture and Environment

Hearing: Tuesday, March 28, 2017, 2:46 pm  
Room 224

Support for SCR 98 and SR 42 Requesting state and county agencies to update administrative rules to adopt environmental protection standards that are at least as stringent as the federal standard as of January 1, 2016, or January 1, 2017, whichever are more stringent.

Chair Kim, Chair Nishihara, Chair Gabbard, Vice Chair Ruderman, Vice Chair Wakai, Vice Chair Riviere, and Members of the Committees,

Aloha. The Conservation Council for Hawai'i supports SCR 98 and SR 42. This initiative is prudent given the current federal administration. Increasingly, it will be up to state and local government to safeguard our land, waters, and other natural resources, and save what we can.

Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler



Endangered 'akiapola'au, Hakalau Forest National Wildlife Refuge



Hawai'i Volcanoes National Park



Papahānaumokuākea Marine National Monument and UNESCO World Heritage Site

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 23, 2017 3:21 PM  
**To:** GVO Testimony  
**Cc:** cathyg@animalrightshawaii.org  
**Subject:** Submitted testimony for SCR98 on Mar 28, 2017 14:46PM

**SCR98**

Submitted on: 3/23/2017

Testimony for GVO/PSM/AEN on Mar 28, 2017 14:46PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments: Since our ersatz president doesn't care about our health, the health of our keiki, our air, land and oceans are at risk - we ask our state lawmakers to protect us.

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## *Hawaii's Thousand Friends*

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March 28, 2017

### COMMITTEE ON GOVERNMENT OPERATIONS

Senator Donna Mercado Kim, Chair  
Senator Russell E. Ruderman, Vice Chair

### COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, & MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair  
Senator Glenn Wakai, Vice Chair

### COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Gil Riviere, Vice Chair

SCR 98/SR 42

REQUESTING STATE AND COUNTY AGENCIES TO UPDATE ADMINISTRATIVE RULES TO ADOPT ENVIRONMENTAL PROTECTION STANDARDS THAT ARE AT LEAST AS STRINGENT AS THE FEDERAL STANDARDS AS OF 1/1/16 OR 1/1/17, WHICHEVER ARE MORE STRINGENT

Chairs Kim, Nishihara and Riviere  
Vice Chairs Ruderman, Wakai, Riviere  
Committee Members

Hawaii's Thousand Friends enthusiastically supports SCR 98 and SR 42, which requests State and County agencies to adopt stronger standards when updating environmental protection laws and rules.

Our islands' are known and appreciated for clean air, clean water, and a green lush environment but with a million + population and 8 million+ tourists a year strong laws, lots of funding and many people are needed all the time. The Federal government currently provides much of the funding, people and environmental oversight.

The president has promised that funding for Federal environmental protection and regulatory laws will be eliminated and his new sea level rise denier EPA director is more than happy to slash and burn those pesky environmental protection laws.

It has always been difficult to protect and preserve Hawaii's finite and fragile natural and cultural resources but we are now on our own and must think and act outside the box.

So if the Federal government will no longer have our backs then we must ensure that our state and county rules and laws are as stringent as the Federal laws and offer the same protections.

If California can take the bold step to protect their states environment by enshrining Federal environmental protections into State law through their *Preserve California* package and enacting the California Environmental Defense Act then so can the most vulnerable state in the Union – Hawai'i.

We can begin the *Preserve Hawai'i* process by passing SCR 98 and SR 42.



P.O. Box 37158, Honolulu, Hawai`i 96837-0158  
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COMMITTEE ON GOVERNMENT OPERATIONS

Senator Donna Mercado Kim, Chair  
Senator Russell E. Ruderman, Vice Chair

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COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair  
Senator Gil Riviere, Vice Chair

Tuesday, March 28, 2017

2:46 P.M.

Conference Room 224

re: SCR 98 Strengthening State Regulations

**Conditionally Support**

Aloha Chairs Kim, Nishihara, and Gabbard, and Committee Members

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 47 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to

promote open government through research, education, advocacy and, when necessary, litigation.

The Resolution mentions “**health**” nine times: “State's public health, environment... baseline level of public health... public health... be exposed to more health... dangers... dangers to public health and safety... public health agencies... Protect public health...the protection of public health ... may adversely impact public health.”

The Resolution is to be filed with over a dozen state and county entities, but not the Department of Health (DOH). While many qualified people work for DOH, the department has two separate approaches for dealing with environmental health issues.

DOH has streamlined, computerized, and advanced business applications and business filings, while leaving enforcement far behind. Some hazardous management documents are still in pencil, others are missing altogether.

New policies and procedures, without teeth, will result in a feel good solution.

Mahalo,  
Henry Curtis  
Executive Director

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 23, 2017 2:41 PM  
**To:** GVO Testimony  
**Cc:** MSMatson@hawaii.rr.com  
**Subject:** Submitted testimony for SCR98 on Mar 28, 2017 14:46PM

**SCR98**

Submitted on: 3/23/2017

Testimony for GVO/PSM/AEN on Mar 28, 2017 14:46PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Matson	Individual	Support	No

Comments: STRONGLY SUPPORT!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, March 26, 2017 10:03 PM  
**To:** GVO Testimony  
**Cc:** 333cory@gmail.com  
**Subject:** Submitted testimony for SCR98 on Mar 28, 2017 14:46PM

**SCR98**

Submitted on: 3/26/2017

Testimony for GVO/PSM/AEN on Mar 28, 2017 14:46PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden	Individual	Support	No

Comments: Aloha legislators, Please support this measure to protect our islands from people who don't know what they're destroying. mahalo, Cory Harden

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**Sent:** Sunday, March 26, 2017 6:18 PM  
**To:** GVO Testimony  
**Cc:** daniel.dano.gardner@gmail.com  
**Subject:** Submitted testimony for SCR98 on Mar 28, 2017 14:46PM

**SCR98**

Submitted on: 3/26/2017

Testimony for GVO/PSM/AEN on Mar 28, 2017 14:46PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dan Gardner	Individual	Comments Only	No

Comments: I am asking you to support SCR98 given Hawaii's role as a leader in protecting the environment and the critical importance of not going backward with regard to existing Federal (and State) environmental standards.

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**Sent:** Sunday, March 26, 2017 1:50 PM  
**To:** GVO Testimony  
**Cc:** sundownertoni@yahoo.com  
**Subject:** Submitted testimony for SCR98 on Mar 28, 2017 14:46PM

**SCR98**

Submitted on: 3/26/2017

Testimony for GVO/PSM/AEN on Mar 28, 2017 14:46PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toni Withington	Individual	Support	No

Comments: I strongly support this resolution. We need to keep ahead of the curve if we are to protect our environmentally protective regulations. Toni Withington, Hawi, HI

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