



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on HB 2470, HD 1
RELATING TO ENVIRONMENTAL PROTECTION**

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATOR CLARENCE K. NISHIHARA, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

Hearing Date: March 14, 2018
Time: 1:15 pm

Room Number: 224

1 **Fiscal Implications:** None.

2 **Department Testimony:** The purpose of this bill is to authorize state and county agencies to
3 adopt rules pertaining to environmental protection, air quality, water supplies, water quality, and
4 drinking water that are as stringent as, or more stringent than, applicable baseline federal
5 standards.

6 While the Department supports the intent of guarding against “backsliding” based on the
7 potential change in philosophy of the U.S. Environmental Protection Agency, its environmental
8 permitting programs require discretion and flexibility to make changes based on science,
9 technology, engineering analysis, and objective decision making. The bill should be amended to
10 preserve DOH’s discretion and flexibility to adopt a standard which is not less stringent than the
11 baseline federal standard in such circumstances.

12 **Offered Amendments:**

13 Amend Section 2, regarding proposed new §321-, by amending the proposed subsection (b) as
14 follows:

15 (b) Except as authorized by state law, or as demonstrated through scientific research that
16 sheds new light on a subject and warrants further discussion and assessment, a state or

1 county agency shall not amend or revise its rules pertaining to environmental protection
2 to be less stringent than the baseline federal standards.

3 Amend Section 3, regarding proposed new §342B-, by doing the following:

- 4 1. Remove subsection (b) because it is already covered by subsection (c);
- 5 2. Amend subsection (c) as follows:

6 (c) Except as authorized by state law, or as demonstrated through scientific research that
7 sheds new light on a subject and warrants further discussion and assessment, a state or
8 county agency shall not amend or revise its rules pertaining to air quality to be less
9 stringent than the baseline federal standards.

10 Amend Section 4, regarding proposed new §342D-, by amending the proposed subsections (a)
11 through (e) as follows:

12 (a) As used in this section, “baseline federal standards” means the authorizations,
13 policies, objectives, rules, requirements, and standards pertaining to the regulation of
14 water quality contained in federal laws or federal regulations implementing the federal
15 laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

16 (b) To ensure that water quality standards are not diminished as a result of any change in
17 the federal Clean Water Act, the director shall maintain and enforce all water quality
18 standards that are at least as stringent as required by the applicable baseline federal
19 standards, in addition to those required by state law. Nothing in this section shall require
20 the director to apply the definition of “waters of the United States” contained in title 33
21 Code of Federal Regulations section 328.3 and title 40 Code of Federal Regulations
22 section 122.2 as published on June 29, 2015 (80 FR 37053).

23 (c) To the extent that the director has not established a water quality standard or
24 requirement for which a standard or requirement exists in the baseline federal standards,
25 the director may adopt the standard or requirement to be at least as stringent as the
26 baseline federal standards.

27 (d) Except as authorized by state law, or as demonstrated through scientific research that
28 sheds new light on a subject and warrants further discussion and assessment, a state or

1 county agency shall not amend or revise its rules pertaining to the regulation of water
2 quality standards to be less stringent than the baseline federal standards.

3 (e) Except as otherwise provided in state law, a state or county agency may establish
4 rules pertaining to the regulation of water quality standards that are more stringent than
5 the baseline federal standards.

6 Amend Section 5, regarding §340E-2, by doing the following:

- 7 1. Amend the first sentence of subsection (a) as follows:

8 The director shall promulgate or adopt and enforce State Primary Drinking Water
9 Regulations and may promulgatc or adopt and enforce State Secondary Drinking Water
10 Regulations.

- 11 2. Amend subsection (d) as follows:

12 (d) The director may promulgate or adopt and enforce regulations relating to cross-
13 connection and backflow prevention control.

- 14 3. Amend the first sentence of subsection (e) to remove the proposed change of
15 “promulgate” to “adopt” as follows:

16 The director shall promulgate regulations establishing an underground injection control
17 program.

- 18 4. Amend the first sentence of subsection (h) as follows:

19 Except as authorized by state law, or as demonstrated through scientific research that
20 sheds new light on a subject and warrants further discussion and assessment, a state or
21 county agency shall not amend or revise its rules pertaining to the regulation of drinking
22 water to be less stringent than the baseline federal standards.

23
24 Thank you for the opportunity to testify on this measure.

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CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
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March 14, 2018

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and Members
Committee on Agriculture and Environment
Hawaii State Capitol, Room 224
415 South Beretania Street
Honolulu, Hawaii 96813

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety, Intergovernmental and Military Affairs
Hawaii State Capitol, Room 224
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Gabbard, Chair Nishihara and Members:

Subject: House Bill 2470, House Draft 1: Related to Environmental Protection

The Honolulu Board of Water Supply (BWS) supports House Bill 2470 House Draft (HD) 1. This bill authorizes environment-related agencies to adopt rules to fill the gaps left by decisions made by the Environmental Protection Agency that could negatively impact the people and environment of Hawaii.

The bill proposes establishing a “baseline federal standard” under Title 19 Hawaii Revised Statutes (HRS) and provisions under Chapter 321, 342B, 342D, and 340E to allow the adoption of rules that are as, or more stringent than the applicable baseline federal standards in existence as of January 1, 2016 or January 1, 2017, whichever is more stringent.

We support this approach and recommend the following amendments to the bill that adds other HRS Chapters that are presently excluded from the measure. Deletions are stricken and new language underscored.

SECTION 6. Chapter 340A, Hawaii Revised Statutes, is amended by adding a new section 340A-4 to be appropriately designated and to read as follows:

§340A-4 Baseline federal standards; state adoption and application.

(a) As used in this section, “baseline federal standards” means the authorizations, policies, objectives, rules, requirements, and standards pertaining to the regulation of solid wastes and contained in federal laws or federal regulations implementing the federal laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

(b) If the United States Environmental Protection Agency no longer implements the prevention of significant deterioration program in accordance with the applicable baseline federal standards, the director may establish programs and rules that are at least as stringent as the applicable baseline federal standards.

(c) Except as authorized by state law, a state or county agency shall not amend or revise its rules pertaining to solid wastes to be less stringent than the baseline federal standards.

(d) Except as otherwise provided in state law, a state or county agency may establish rules pertaining to solid wastes that are more stringent than the baseline federal standards.”

SECTION 7. Chapter 342L, Hawaii Revised Statutes, is amended by adding a new section 342L-24 to be appropriately designated and to read as follows:

§342L-24 Baseline federal standards; state adoption and application.

(a) As used in this section, “baseline federal standards” means the authorizations, policies, objectives, rules, requirements, and standards pertaining to the regulation of underground storage tanks and contained in federal laws or federal regulations implementing the federal laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

(b) If the United States Environmental Protection Agency no longer implements the prevention of significant deterioration program in accordance with the applicable baseline federal standards, the director may establish programs and rules that are at least as stringent as the applicable baseline federal standards.

(c) Except as authorized by state law, a state or county agency shall not amend or revise its rules pertaining to underground storage tanks to be less stringent than the baseline federal standards.

(d) Except as otherwise provided in state law, a state or county agency may establish rules pertaining to underground storage tanks that are more stringent than the baseline federal standards.”

SECTION 8. Chapter 342H, Hawaii Revised Statutes, is amended by adding a new section 342H-22 to be appropriately designated and to read as follows:

§342H-22 Baseline federal standards; state adoption and application.

(a) As used in this section, “baseline federal standards” means the authorizations, policies, objectives, rules, requirements, and standards pertaining to the regulation of solid waste pollution and contained in federal laws or federal regulations implementing the federal laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

(b) If the United States Environmental Protection Agency no longer implements the prevention of significant deterioration program in accordance with the applicable baseline federal standards, the director may establish programs and rules that are at least as stringent as the applicable baseline federal standards.

(c) Except as authorized by state law, a state or county agency shall not amend or revise its rules pertaining to solid waste pollution to be less stringent than the baseline federal standards.

(d) Except as otherwise provided in state law, a state or county agency may establish rules pertaining to solid waste pollution that are more stringent than the baseline federal standards.”

SECTION 9. Chapter 342J, Hawaii Revised Statutes, is amended by adding a new section 342J-22 to be appropriately designated and to read as follows:

§342J-22 Baseline federal standards; state adoption and application.

(a) As used in this section, “baseline federal standards” means the authorizations, policies, objectives, rules, requirements, and standards pertaining to the regulation of hazardous wastes and contained in federal

laws or federal regulations implementing the federal laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

(b) If the United States Environmental Protection Agency no longer implements the prevention of significant deterioration program in accordance with the applicable baseline federal standards, the director may establish programs and rules that are at least as stringent as the applicable baseline federal standards.

(c) Except as authorized by state law, a state or county agency shall not amend or revise its rules pertaining to hazardous waste to be less stringent than the baseline federal standards.

(d) Except as otherwise provided in state law, a state or county agency may establish rules pertaining to hazardous waste that are more stringent than the baseline federal standards.”

SECTION 10. Chapter 342P, Hawaii Revised Statutes, is amended by adding a new section 342P-9 to be appropriately designated and to read as follows:

§342P-9 Baseline federal standards; state adoption and application.

(a) As used in this section, “baseline federal standards” means the authorizations, policies, objectives, rules, requirements, and standards pertaining to the regulation of asbestos and lead and contained in federal laws or federal regulations implementing the federal laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent.

(b) If the United States Environmental Protection Agency no longer implements the prevention of significant deterioration program in accordance with the applicable baseline federal standards, the director may establish programs and rules that are at least as stringent as the applicable baseline federal standards.

(c) Except as authorized by state law, a state or county agency shall not amend or revise its rules pertaining to asbestos and lead to be less stringent than the baseline federal standards.

(d) Except as otherwise provided in state law, a state or county agency may establish rules pertaining to asbestos and lead that are more stringent than the baseline federal standards.”

The Honorable Mike Gabbard, Chair and Members
The Honorable Clarence K. Nishihara, Chair and Members
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Page 5

SECTION ~~6~~ 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION ~~7~~ 12. This Act shall take effect on January 28, ~~2045~~ 2020.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ernest Y. W. Lau". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer



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March 14, 2018

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS

TESTIMONY ON HB 2470, HD 1
RELATING TO ENVIRONMENTAL PROTECTION

Room 225
1:15 PM

Aloha Chair Gabbard, Chair Nishihara, Vice Chair Riviere, Vice Chair Wakai, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

After further review of this very complex issue, HFB continues to **OPPOSE** HB 2470,HD 1 for the following reasons:

1. **It is not necessary.** The state is *already* allowed to adopt environmental laws and regulations that are more strict than existing federal standards **CONSISTENT WITH EXISTING FEDERAL LAWS AND REGULATIONS. This bill would introduce numerous unnecessary complications that could result in the State of Hawaii being in violation of federal laws and regulations and/or subject to litigation.** Without this bill, the state is largely free to adopt its own regulations that would maintain standard as stringent as the proposed baselines, consistent with federal law and applicable court rulings.
2. The bill identifies baseline federal standards as those adopted as of January 1, 2016 or 2017, whichever is stricter. This would invalidate any changes to federal laws to make them less strict, if any, adopted by the Obama administration prior to the Trump inauguration in January 2017. The justification for this bill is the fear that the Trump administration is or will be rolling back environmental standards; however, are we assuming that regulatory decisions made by the Obama EPA are also suspect?
3. In many cases, existing federal laws and regulations are litigated and either overturned by the courts or remanded to EPA for further consideration and/or rulemaking. This bill would result in litigation being brought in the State of Hawaii over issues that have already been decided in court over federal laws/regulations that were determined to be improper or illegal.

4. Some federal laws actually prohibit states from enacting different requirements. For example, under FIFRA, States may not impose any requirements for labeling or packaging that are different from those required by the EPA. See 7 USC section 136v (b), which states: "Such State shall not impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under this subchapter." In such cases, if the federal requirement is changed in the future then the state is prohibited from adopting requirements that are inconsistent.

5. The bill is based on the absurd assumption that ALL future changes to federal environmental regulations which make them less stringent – whether by the current administration or some future administration – are unjustified and therefore should not/cannot be adopted in Hawaii. **Environmental regulations are regularly modified to streamline them, adopt common-sense revisions, to reflect current science, or to remove requirements that have become obsolete or have been determined to be impracticable to comply with. Such changes would be prohibited by this bill.** As an example, EPA over the years has adopted "Universal Waste" regulations for certain low risk/high volume wastes (such as fluorescent bulbs) that would otherwise be subject to full hazardous waste regulations. These rules made it easier for generators to properly manage these wastes, and likely led to improved waste management even though requirements for these wastes were made less strict.

6. It may be surprising, but due to the complexity of environmental regulations, it may not be clear whether a rule is more, or less stringent. This measure provides no definition or interpretation regarding the term "less stringent" or who will be making the determination regarding whether a regulatory change is "less stringent". Sometimes, rules are simply made better. For example, if an air or water pollution control regulation is changed to replace a numerical emissions or discharge limit with a requirement for a specified level of treatment that would attain the same environmental benefit (without specifying a numerical limit), is the new regulation more stringent or less stringent?

For these reasons, we respectfully request your **opposition** to this measure. Thank you for this opportunity to provide our comments on this important matter.



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the Senate Committees on Agriculture & Environment and
Public Safety, Intergovernmental & Military Affairs
Wednesday, March 14, 2018 at 1:15 P.M.
Conference Room 224, State Capitol**

RE: HOUSE BILL 2470 HD1 RELATING TO ENVIRONMENTAL PROTECTION

Chairs Gabbard and Nishihara, Vice Chairs Riviere and Wakai, and Members of the Committees:

The Chamber of Commerce Hawaii ("The Chamber") provides the following comments on H.B 2470, H.D. 1, which proposes to require state and county agencies to adopt and maintain rules pertaining to environmental protection, air quality, water supplies, water quality, and drinking water that are as stringent as, or more stringent than, applicable baseline federal standards.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ 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 members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

In 2017, the City and County of Honolulu adopted new storm water regulations which are more stringent and restrictive than the federal standards adopted by the Environmental Protection Agency (EPA). If stormwater regulations are not designed and implemented in a thoughtful way, they can increase costs, delay projects, result in poorly designed or maintained features, or simply occupy valuable space that could be used for housing or other community amenities. On the other hand, approaches such as green infrastructure, if implemented well, can build value and achieve multiple community and environmental benefits.

The new rules along with the State Department of Health's new NPDES permit has added numerous new enforceable stormwater milestones and management benchmarks to Honolulu's MS4 program, many of which will directly affect land development. Several program components are problematic to local flexibility and best judgement, representing overly prescriptive solutions.

Going forward we would caution the Legislature to be aware of "unintended consequences" of adopting rules that are more stringent than what is being required by the Federal agencies. Also, consideration must be given to allow for evolving "Best Management Practices" (BMP's) which are the proper tools that provide a level of flexibility to meet or exceed the agency standards.



Chamber *of* Commerce HAWAII

The Voice of Business

There needs to be an understanding by the agency on why more stringent rules are necessary based on an objective analysis of other approaches (i.e. BMP's) that may accomplish the same or improved results.

Thank you for the opportunity to testify.



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**Testimony to the Senate Committees on Agriculture and the
Environment; and Public Safety, Intergovernmental, and Military Affairs
Wednesday, March 14, 2018
1:15 pm
State Capitol, Room 224**

RE: H.B. 2470, H.D. 1, – Relating to Environmental Protection

Chairs Gabbard and Nishihara, Vice-Chairs Riviere and Wakai & members of the Committees:

My name is Gladys Quinto-Marrone, CEO of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of 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 provides the following comments on H.B 2470, H.D. 1, which proposes to require state and county agencies to adopt and maintain rules pertaining to environmental protection, air quality, water supplies, water quality, and drinking water that are as stringent as, or more stringent than, applicable baseline federal standards.

In 2017, the City and County of Honolulu adopted new storm water regulations which are more stringent and restrictive than the federal standards adopted by the Environmental Protection Agency (EPA). If stormwater regulations are not designed and implemented in a thoughtful way, they can increase costs, delay projects, result in poorly designed or maintained features, or simply occupy valuable space that could be used for housing or other community amenities. On the other hand, approaches such as green infrastructure, if implemented well, can build value and achieve multiple community and environmental benefits.

The new rules along with the State Department of Health's new National Pollutant Discharge Elimination System (NPDES) permit has added numerous new enforceable stormwater milestones and management benchmarks to Honolulu's MS4 program, many of which will directly affect land development. Several program components are problematic to local flexibility and best judgement, representing overly prescriptive solutions.

Going forward we would caution the Legislature to be aware of "unintended consequences" of adopting rules that are more stringent than what is being required by the Federal agencies. Also, consideration must be given to allow for evolving "Best Management Practices" (BMP's) which are the proper tools that provide a level of flexibility to meet or exceed the agency standards.

There needs to be an understanding by the agency on why more stringent rules are necessary based on an objective analysis of other approaches (i.e. BMP's) that may accomplish the same or improved results.

We appreciate the opportunity to express our views on this matter.

HB-2470-HD-1

Submitted on: 3/10/2018 12:04:34 PM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Siracusa	Testifying for Malama O Puna	Support	No

Comments:

I am glad to see that our State is willing to counter the anti-science influence in our federal government in order to ensure that we do not lose the environmental protections that we have enjoyed prior to this federal administration. I do believe that the State should have the right to improve on federal standards, which often do not consider the unique situations here in Hawaii. Locking those standards in securely before the Trump administration had a chance to emasculate them is a positive step we can take to protect our island home and its future.

Please support this.

Rene Siracusa, president

Malama O Puna, a 501(c)(3) environmental nonprofit.

HB-2470-HD-1

Submitted on: 3/13/2018 12:40:03 PM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HB2470 HD1**, relating to Environmental Protection; Water Supplies; Air Quality; Water Quality; Drinking Water; and Standards.

The OCC Legislative Priorities Committee is in favor of **HB2470 HD1** and supports its passage.

HB2470 HD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires state and county agencies to adopt and maintain rules pertaining to environmental protection, air quality, water supplies, water quality, and drinking water that are as stringent as, or more stringent than, applicable baseline federal standards.

Specifically, the DPH Platform states that "[t]he Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment is essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling and waste reduction.

The conservation, preservation and restoration of Hawaii's natural resources are connected to the health and welfare of our people; therefore, we support the conservation and protection of our natural environment, which includes reducing our carbon footprint for the benefit of current and future generations.

We support the protection of our 'aina against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage. To handle current and future demands for water, we must

assess the current condition of our aquifers and take appropriate actions to secure our fresh water resources.

We support democratic participation of citizens and residents to protect (i) valuable coastal ecosystems and reefs from misuse and (ii) beaches for public use and recreation. The Hawai'i Coastal Zone Management (CZM) law, HRS Chapter 205A, currently provides for public participation in management of coastal resources.

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources.

We know that climate change is a real threat to our islands and the world. We strongly urge our candidates and elected officials to take immediate action to mitigate and adapt to the consequences of climate change. This includes funding adaptation measures including coastal retreat, effective participation of indigenous peoples in climate change governance, and recognition that indigenous, local, and traditional ecological knowledge is key in climate change adaptation solutions." (Platform of the DPH, P. 8, Lines 407-439 (2016)).

Given that **HB2470 HD1** requires state and county agencies to adopt and maintain rules pertaining to environmental protection, air quality, water supplies, water quality, and drinking water that are as stringent as, or more stringent than, applicable baseline federal standards, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

HB-2470-HD-1

Submitted on: 3/13/2018 12:56:34 PM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Testifying for Surfrider Foundation	Support	No

Comments:

Dear Chairs,

As the Hawaii Manager of the Surfrider Foundation, I am writing in support of HB2470 HD1. In light of our polarizing politics and the Administration's rollback of environmental regulations, Hawaii needs to make sure that progress on environmental protection moves forward, not backward. Please support this bill!

Aloha, Stuart Coleman



SIERRA CLUB OF HAWAI'I
MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, & MILITARY AFFAIRS

Wednesday, March 14, 2018 1:15PM Conference Room 224

In SUPPORT of HB 2470 HD1 Relating to environmental protection

Aloha Chairs Gabbard and Nishihara, Vice Chairs Riviere and Wakai, and members of the Committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i, a member of the Common Good Coalition, **strongly supports HB 2470 HD1** to codify in state law the current minimum federal protections for clean water, clean air, and other environmental protections.

Currently, Hawai'i relies heavily on the federal Environmental Protection Agency and federal statutes to protect our environment. More than 100 positions and \$202.4 million at the Hawai'i Department of Health's Environmental Services Division are federal. In addition, the environmental protections that Hawai'i Department of Health (HDOH) is empowered to enforce are fundamentally federal statutes. This includes controls on solid and hazardous waste, underground storage tanks, air pollution, and fresh and ocean water pollution.

Unfortunately, the Trump Administration is targeting many of these environmental protections for mass repeal. Controls on greenhouse gas emissions, policies to mitigate and plan for sea level rise, and protections for streams are just some of environmental protections that have already been repealed by executive order.¹ The Administration has also indicated their plans to weaken or repeal bedrock environmental statutes like the Clean Water Act.² Currently, HDOH is

¹<https://www.usatoday.com/story/news/politics/2017/03/28/the-obama-environmental-regulations-trump-wants-scrap/99729650/>

² <http://www.refinery29.com/2017/06/161177/trump-rolls-back-clean-water-act>

preparing for a \$6.2 million cut in federal funds, including all funding for groundwater protections.

To adequately protect the natural and cultural resources of the Hawaiian Islands, it is crucial that the state codify the current minimum federal standards in its own state law. With this independent authority to protect the natural resources crucial to our survival, the state can then set staff and state funding priorities for those areas in greatest need of our attention.

For these reasons, **we strongly urge this committee to pass HB 2470 HD1.**

Thank you for the opportunity to submit testimony on this important issue.

HB-2470-HD-1

Submitted on: 3/9/2018 4:58:01 PM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments:

We need to preserve Hawai`i and its beauty.

HB-2470-HD-1

Submitted on: 3/9/2018 10:40:39 PM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Support	No

Comments:

HB-2470-HD-1

Submitted on: 3/13/2018 9:11:21 AM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Prentiss	Individual	Support	No

Comments:

Its unfortunate that this is neefed, but it is strongly needed.

HB-2470-HD-1

Submitted on: 3/13/2018 9:12:22 AM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

Hawaii environmental policies and regulation have a troubling and contradicting history. We set ambitious and exciting goals for the State in respect of and for the preservation of that which provides us. But, the actual regulations and enforcement that create the foundation of these goals are embarrassingly lax and insufficient. It is time for Hawaii's environmental quality regulations to join the rest of the country in meeting basic standards and protections. Please support this measure. Mahalo for your time.

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Submitted on: 3/13/2018 11:05:26 AM

Testimony for AEN on 3/14/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thorne Abbott	Individual	Support	No

Comments: