



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
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**Testimony in OPPOSITION to SB 2017**  
**RELATING TO CLIMATE CHANGE**

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: February 5, 2018  
Time: 1:35 PM

Room Number: 224

1 **Fiscal Implications:** The Department of Health (Department) would require additional  
2 permitting staff to review and evaluate climate vulnerability assessments (CVAs), and the time to  
3 process permit applications would be lengthened. Permit applicants would incur additional costs  
4 to prepare and submit these assessments.

5 **Department Testimony:** The Department respectfully opposes this bill. The bill directs the  
6 Department to develop rules to require a CVA for permit applications for any planned building,  
7 transportation project, or land use change that may generate significant greenhouse gas emissions  
8 in the construction or operation phase of the project. The Department has strong concerns that  
9 the bill's requirements would be established within the Air Pollution Control Program of the  
10 Clean Air Branch.

11 The CVA requires a life cycle analysis (LCA) of the project's carbon emissions, an  
12 evaluation of the project's vulnerability to climate-related disasters, and possible mitigation and  
13 alternatives.

14 The air permit program is not the appropriate place for determining a project's  
15 vulnerability to climate-related disasters. The program evaluates stationary source air permit  
16 applications based on pollutants, including greenhouse gases (GHGs), emitted directly from the

1 operation of a source. Acceptable siting and project restrictions based on the projects  
2 susceptibility to climate related disasters, such as sea-level rise or more frequent storm surges,  
3 should be evaluated by the designated state and/or county land use and planning agency  
4 responsible for regulating development and managing resources at the very beginning of a  
5 proposed project, and not by the air permitting program.

6 Similarly, mitigation strategies for global warming threats are more appropriately  
7 addressed by climate change task forces and commissions such as Hawaii's Climate Change  
8 Mitigation and Adaptation Commission, which have already been established and are working  
9 towards reducing GHG emissions.

10 Requiring a CVA and LCA for permit applications involving any planned building,  
11 transportation project, or land use change that may generate significant GHG emissions would  
12 significantly impact the permit application process. While a CVA and LCA of carbon emissions  
13 may contribute useful information, the Department is not aware of established regulations or  
14 criteria which would be used as a basis to approve or deny a permit application, or to require  
15 restrictions or limitations on the construction or operation of a project. A permit evaluation  
16 should compare a proposed project to a set of limits or requirements that set an objective  
17 standard for approving or denying the permit.

18 The Department has contacted other states and found that those that require a life cycle  
19 assessment do so in their Environmental Impact Statement (EIS) process. A life cycle  
20 assessment belongs in a comprehensive review process like the EIS and not with the regulatory  
21 air permit program.

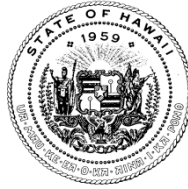
22 Given our concerns, the climate vulnerability assessment and each of its components  
23 would not be appropriately placed within the Department.

24 Thank you for the opportunity to testify.

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**Testimony by:**  
JADE T. BUTAY  
INTERIM DIRECTOR

Deputy Directors  
ROY CATALANI  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 5, 2018  
1:35 PM  
State Capitol, Room 224

**S.B. 2017**  
**RELATING TO CLIMATE CHANGE**

Senate Committee on Agriculture and Environment and Public Safety,  
Intergovernmental, and Military Affairs

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The Department of Transportation (DOT) submits **comments** on this bill which proposes to require state agencies to require climate vulnerability assessments for all permit applications required under Section 342B HRS that involve building, transportation, or land use changes that generate significant greenhouse gas emissions.

While the DOT supports the Paris Agreement and believes that Climate Change and associated effects such as Sea Level Rise are critical issues for our state, DOT finds that requiring a vulnerability assessment for all permit applications for projects that may generate "significant greenhouse gas emissions in the construction or operation of the project" to be overly broad to meet what is expected and may affect project delivery.

There is no clear methodology or standard identified to make the "significant greenhouse gas emissions" determination. Further, permitting agencies are unlikely to have the technical expertise to evaluate such assessments and determine the direct impact of such a proposal on climate vulnerability might be or what corrective actions such an applicant would have to undertake to address any such potential impacts.

Thank you for the opportunity to provide testimony.



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

**SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

**SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

Monday, February 5, 2018 1:35PM Conference Room 224

**In SUPPORT of SB 2017** Relating to climate change

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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 SB 2017**, requiring climate vulnerability assessments for permit applications filed after December 31, 2019, to construct, modify, relocate, or operate any regulated air pollutant source.

This requirement would help implement Recommendation 1.1 of the Climate Commission's Sea Level Rise Vulnerability Report<sup>1</sup>, which reads as follows:

**1.1 Seek opportunities to plan new development outside of the SLR-XA under long-term, comprehensive managed retreat strategy**

It is paramount that we recognize the inherent threat of sea level rise to our coastal communities. Continued investment in new housing development, commercial areas, and critical infrastructure that are located in the SLR-XA must be weighed against the timing and extent of flooding from sea level rise. Efforts must be made to locate new development landward of this vulnerability zone wherever possible.

Such permit applications are reviewed by the Department of Health under the provisions of Chapter 342P. Projects covered under SB 2017 include any planned building, transportation, or

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<sup>1</sup> [https://climateadaptation.hawaii.gov/wp-content/uploads/2017/12/SLR-Report\\_Dec2017.pdf](https://climateadaptation.hawaii.gov/wp-content/uploads/2017/12/SLR-Report_Dec2017.pdf)

land use change by any public or private entity that may generate significant greenhouse gas emissions in its construction or operation phase. The proposed amendments to Chapter 342P would require review of the location of proposed major projects in addition to their air pollution characteristics.

Thank you for the opportunity to testify in support of SB 2017.

**SB-2017**

Submitted on: 2/1/2018 4:21:37 PM

Testimony for AEN on 2/5/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimo Cruz		Oppose	No

Comments:

**SB-2017**

Submitted on: 2/1/2018 8:54:56 PM

Testimony for AEN on 2/5/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benton Kealii Pang, Ph.D.	Hawaiian Civic Club of Honolulu	Support	No

Comments:

**SB-2017**

Submitted on: 2/2/2018 7:56:13 PM

Testimony for AEN on 2/5/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Randy Ching		Support	No

Comments:

Chairs Gabbard and Nishihara, Vice Chairs Riviere and Wakai, members of the committees,

Please pass SB2017. We need to start considering how climate change is going to affect us. This is a good start. We need to consider climate vulnerability assessments in many areas if we are going to survive the next 50 years. Regulated air pollutant sources are a beginning.

Thank you for the opportunity to testify.

Randy Ching / Honolulu / makikirandy@yahoo.com



**SB-2017**

Submitted on: 2/4/2018 1:02:36 AM

Testimony for AEN on 2/5/2018 1:35:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

**PRESENTATION OF THE  
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES  
DEMOCRATIC PARTY OF HAWAII  
TO THE COMMITTEE ON AGRICULTURE AND ENVIRONMENT AND  
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,  
AND MILITARY AFFAIRS  
THE SENATE  
TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2018  
Monday, February 5, 2018  
1:35 p.m.**

Hawaii State Capitol, Conference Room 224

**RE: Testimony in Support** of SB 2017, RELATING TO CLIMATE CHANGE

To the Honorable Mike Gabbard, Chair; the Honorable Gil Riviere, Vice-Chair and Members of the Committee on Agriculture and Environment:

To the Honorable Clarence K. Nishihara, Chair; the Honorable Glenn Wakai, Vice-Chair and Members of the Committee on Public Safety, Intergovernmental, and Military Affairs:

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 Senate Bill No. 2017, relating to Climate Change as a result of greenhouse gas emissions from regulated air pollutant sources necessitating Climate Vulnerability Assessments as per the goals of the Paris Climate Agreement. The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2017 and support its passage.

Senate Bill No. 2017, is in alignment with the Platform of the Democratic Party of Hawai’i (“DPH”), 2016, as it requires climate vulnerability assessments for permit applications filed after December 31, 2019, to construct, modify, relocate, or operate any regulated air pollutant source, in order to further the State’s commitment to the goals of the Paris Climate Agreement.

Specifically, the DPH Platform states that “[t]he 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 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 417-420, 435-439 (2016)).

Given that Senate Bill No. 2017 requires climate vulnerability assessments for permit applications to construct, modify, relocate, or operate any regulated air pollutant source, 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

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