



**OFFICE OF PLANNING
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Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
**SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS**
Friday, February 2, 2018
3:00 PM
State Capitol, Conference Room 414

in consideration of
SB 2458
RELATING TO CLIMATE VULNERABILITY ASSESSMENT.

Chair Nishihara, Vice Chair Wakai, and Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs.

SB 2458 requires state agencies to require climate vulnerability assessments for permit applications for projects involving building, transportation, or land use change that may generate significant greenhouse gas emissions and requires the Department of Health to adopt rules to implement the proposed measure.

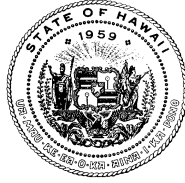
The Office of Planning (OP) appreciates the overall concept of this bill as it addresses potential efforts related to mitigation of climate change impacts, and respectfully offers the following comments on this measure:

1. Based on the definition of “climate vulnerability assessment” there may be significant costs associated with the implementation of the actions described in this proposed measure that are currently unaccounted for in the executive budget.
2. The definition of “Project,” includes the term ‘significant greenhouse gas emissions.’ It is unclear what the minimum and maximum thresholds are to deem what is considered significant.
3. A universal permit application requirement as described in SB 2458 may cause unnecessary workloads for applicants and government agencies in permitting processes, and delay or jeopardize the projects.
4. Currently, the intent of the measure is vague. Without an understanding of the purpose or role of the proposed climate vulnerability assessments, it is unclear how the assessment

would serve to influence the evaluation and/or approval of proposed projects at a permit review level.

5. Should the measure advance and provide clarification to the issues above, OP recommends that climate vulnerability assessment for all projects be required in their environmental assessment under Hawaii Revised Statutes (HRS) Chapter 343. The requirement of climate vulnerability assessment triggered by HRS Chapter 343 would apply to both state and county agencies to approve those projects involving building, transportation, or land use change that may generate significant greenhouse gas emissions.

Thank you for the opportunity to offer these comments on this measure.



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STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in OPPOSITION to SB 2458
CLIMATE CHANGE**

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

Hearing Date: February 2, 2018
Time: 3:00 PM

Room Number: 414

1 **Fiscal Implications:** State permitting agencies will require additional staff to review and
2 evaluate climate vulnerability assessments (CVA) and the time to process permit applications
3 will be lengthened. Permit applicants will incur additional costs to prepare and submit these
4 assessments.

5 **Department Testimony:** The Department of Health (Department) respectfully opposes this bill.
6 The bill directs the Department to develop rules for all state agencies to require a CVA for all
7 permit applications for any planned building, transportation project, or land use change that may
8 generate significant greenhouse gas (GHG) emissions in the construction or operation phase of
9 the project. We have strong concerns about establishing this requirement within any of the
10 Department's regulatory permitting programs.

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 Department is not the appropriate agency for determining a project's vulnerability to
15 climate-related disasters. Acceptable siting and project restrictions based on the projects
16 susceptibility to climate related disasters, such as sea-level rise or more frequent storm surges,
17 should be evaluated by the designated state and/or county land use and planning agency

LATE

1 responsible for regulating development and managing resources at the very beginning of a
2 proposed project, and not by each state agency that issues a permit.

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

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

15 The Department has contacted other states and found that those that require an LCA do
16 so in their Environmental Impact Statement (EIS) process. The Department feels that a LCA
17 belongs in a review process like the EIS and not with the Department’s regulatory permit
18 programs.

19 Given our concerns, the CVA and each of its components would not be appropriately
20 placed within the Department.

21 Thank you for the opportunity to testify on this measure.

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SB2458

RELATING TO CLIMATE CHANGE

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

February 2, 2018

3:00 p.m.

Room 414

The Office of Hawaiian Affairs (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **SUPPORTS** SB2458, which would require state agencies to conduct climate vulnerability assessments for permit applications for public and private projects involving building, transportation, or land use changes, and that might generate significant greenhouse gas emissions.

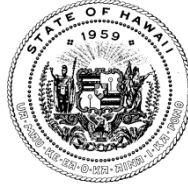
Over the last half century, development on our islands has occurred rapidly, and against a backdrop of continuous global warming and sea level rise; notably, the carbon emissions generated from this vast amount of construction itself has doubtlessly contributed to global climate change. Unfortunately, when combined with the effects of climate change on our sensitive ecosystems, such increased development has now exposed many natural and cultural resources, as well as various new and existing developments themselves, to the threat of damage or destruction. Nevertheless, developers continue to plan substantial development and redevelopment, including in areas susceptible to climate change-related impacts, without a clear consideration of or planning for the ramifications of climate change over the next few decades. **With climate change models becoming both more accurate and dire, the climate vulnerability of our communities, ecosystems, and new development projects is now clearly a matter of critical importance, albeit currently under-analyzed in the context of project development.**

This bill is a step toward ensuring that those future development projects with a relatively high climate impact are thoroughly assessed for their carbon emissions. Moreover, under the proposed “climate vulnerability assessment” process, such projects would also be assessed for their own specific vulnerability to climate-related disasters, as well as potential mitigation measures and alternatives. This analysis will promote development that is more environmentally responsible, while also improving such developments’ resilience to the impacts of climate change.

Since climate change poses an imminent threat to so many aspects of life in Hawai‘i, this bill is a timely and necessary first step towards better ensuring the future security and sustainability of our islands and communities.

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Accordingly, OHA urges the Committee to **PASS** SB2458. Mahalo for the opportunity to testify on this important issue.



Testimony by:
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IN REPLY REFER TO:

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STATE OF HAWAII
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HONOLULU, HAWAII 96813-5097

February 2, 2018
3:00 PM
State Capitol, Room 414

S.B. 2458
RELATING TO CLIMATE CHANGE

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

The Department of Transportation (DOT) **supports** the intent of this bill which proposes to require state agencies to require climate vulnerability assessments for all permit applications for projects 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.

It is unclear what expectation and/or authority permitting agencies have in reviewing, approving, and/or requiring any mitigation of such impacts. 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.

SB-2458

Submitted on: 2/1/2018 7:32:55 AM

Testimony for PSM on 2/2/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack		Support	No

Comments: