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## A BILL FOR AN ACT

RELATING TO REFORESTATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the human-induced  
2 global climate crisis requires thoughtful but bold responses on  
3 many fronts to make Hawaii communities resilient to the impacts  
4 of climate change that threaten the very survivability of these  
5 fragile islands. Lest Hawaii lose its leadership position in  
6 meeting the future of labor, justice and equity, the legislature  
7 embraces aloha aina as a green new deal to decarbonize Hawaii's  
8 systems of food, energy, and transportation, and to sequester  
9 carbon through systems of agriculture, waste management, and  
10 ecosystem restoration. This solid foundation finds synergies  
11 with expanded access to health, housing and education,  
12 multiplying good jobs and ensuring justice and equity for  
13 Hawaii's citizens. This measure represents a forward step in  
14 mitigating and adapting Hawaii to inevitable climate change.

15           The legislature further finds that our climate crisis is an  
16 existential threat and that greenhouse gas emissions from the  
17 burning of fossil fuels is the key contributor. It poses a



1 serious threat to our economy, public health, and environment.  
2 The State has committed to the elimination of fossil fuels from  
3 our energy sector and has committed to abiding by the Paris  
4 Climate Agreement's goal of limiting global warming to less than  
5 1.5 degrees celsius above pre-industrial levels.

6 Trees serve as a natural way of removing carbon from the  
7 atmosphere. No other approach is as effective for carbon  
8 sequestration. An environmental assessment should be required  
9 for the large-scale clear-cutting of trees and other perennial  
10 plants to produce electricity.

11 Section 235-110.31, Hawaii Revised Statutes, renewable  
12 fuels production tax credit should conform to the federal  
13 designation so that forest bioenergy may be considered a  
14 renewable energy and greenhouse gas carbon neutral, "provided  
15 the use of forest biomass for energy production does not cause  
16 conversion of forests to non-forest use."

17 The Environmental Protection Agency's treatment of biogenic  
18 carbon dioxide emissions from stationary sources that use forest  
19 biomass for energy production, provides that "[t]he  
20 Administrator of the Environmental Protection Agency shall,  
21 consistent with its missions, establish clear and simple



1 policies for the use of forest biomass as an energy solution,  
2 including policies that reflect the carbon-neutrality of forest  
3 bioenergy and recognized biomass as a renewable energy source,  
4 provided that use of forest biomass for energy production does  
5 not cause conversion of forests to non-forest use."

6 SECTION 2. Section 235-110.31, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8 "(a) As used in this section:

9 "Credit period" means a maximum period of five consecutive  
10 years, beginning from the first taxable year in which a taxpayer  
11 begins renewable fuels production at a level of at least two  
12 billion five-hundred million British thermal units of renewable  
13 fuels per calendar year.

14 "Net income tax liability" means income tax liability  
15 reduced by all other credits allowed under this chapter.

16 "Renewable feedstocks" means:

17 (1) Biomass crops and other renewable organic material,  
18 including but not limited to logs, wood chips, wood  
19 pellets, and wood bark; provided that the use of  
20 forest biomass for energy production shall not cause  
21 conversion of forest to non-forest use;



- 1           (2) Agricultural residues;
- 2           (3) Oil crops, including but not limited to algae, canola,
- 3                 jatropha, palm, soybean, and sunflower;
- 4           (4) Sugar and starch crops, including but not limited to
- 5                 sugar cane and cassava;
- 6           (5) Other agricultural crops;
- 7           (6) Grease and waste cooking oil;
- 8           (7) Food wastes;
- 9           (8) Municipal solid wastes and industrial wastes;
- 10          (9) Water; and
- 11          (10) Animal residues and wastes,
- 12 that can be used to generate energy.

13           "Renewable fuels" means fuels produced from renewable  
14 feedstocks, provided that the fuel:

- 15           (1) Is sold as a fuel in Hawaii; and
- 16           (2) Meets the relevant ASTM International specifications
- 17                 or other industry specifications for the particular
- 18                 fuel, including but not limited to:
  - 19                   (A) Methanol, ethanol, or other alcohols;
  - 20                   (B) Hydrogen;
  - 21                   (C) Biodiesel or renewable diesel;



- 1 (D) Biogas;
- 2 (E) Other biofuels;
- 3 (F) Renewable jet fuel or renewable gasoline; or
- 4 (G) Logs, wood chips, wood pellets, or wood bark."

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2020.

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INTRODUCED BY:

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JAN 21 2020



# H.B. NO. 2205

**Report Title:**

Forest Biomass; Energy Production; Renewable Feedstocks

**Description:**

Amends and clarifies "renewable feedstocks" to conform with federal statutes and the Environmental Protection Agency's directive.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

