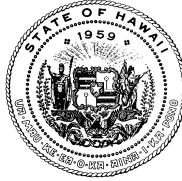


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Testimony COMMENTING on HB1350
RELATING TO THE ENVIRONMENT

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Representative Nicole E. Lowen, Chair
Representative Lisa Marten, Vice Chair

Testimony of Keith Kawaoka
Acting Director, Office of Environmental Quality Control
Attached Agency to the Department of Health

Hearing Date: February 9, 2021
9 a.m.

Room Number: 325
Via Videoconference

- 1 **OEQC's Position:** The Office of Environmental Quality Control (OEQC), an attached agency
2 to the Department of Health which administers Chapter 343, Environmental Impact Statements,
3 Hawaii Revised Statutes (HRS) would like to provide comments and address some concerns on
4 HB1350.
- 5 **Purpose and Justification:** The bill would amend Chapter 341, Hawaii Revised Statutes to
6 create an Environmental Justice Mapping and Data Collection program under the Environmental
7 Council. The Environmental Council is separate entity similarly attached to the Department of
8 Health and currently consists of fifteen volunteer citizens who perform their various duties under
9 Chapters 341 and 343, Hawaii Revised Statutes which includes producing an annual report,
10 reviewing and concurring on exemption lists, and adopting rules for other State and county
11 agencies to implement environmental review. The OEQC provides limited staffing support to the

1 Council and all expenditures for the Council are fulfilled through the OEQC's general operating
2 funds. The OEQC currently consists of one planner, one environmental health specialist, and one
3 secretary and is responsible for preparing the semi-monthly periodic bulletin, rendering technical
4 assistance and guidance on Chapter 343, Hawaii Revised Statutes, and providing limited
5 technical and administrative support for the Environmental Council. While Section 4 of the bill
6 provides an unspecified appropriation for the Department of Health to assist the Council in the
7 implementation of this bill, the Office believes that additional staffing for the Environmental
8 Council is needed to more effectively allow the Council to undertake this new responsibility. The
9 OEQC would appreciate the additional fiscal resources for this task, provided it does not reduce
10 or replace priorities with the Administration's budget request.

11 Thank you for the opportunity to testify.

HB-1350

Submitted on: 2/5/2021 9:12:13 AM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Regina Gregory	EcoTipping Points Project	Support	No

Comments:

This is an excellent idea.

The Description should be corrected to read "environmental" not "economic" justice community.

HB-1350

Submitted on: 2/7/2021 8:47:48 PM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack	350Hawaii	Support	No

Comments:

Testifying in STRONG SUPPORT of this very important, much needed legislation.



SIERRA CLUB OF HAWAI'I

LATE

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

February 9, 2021 9:00 AM

In **SUPPORT** of **HB1350**: Relating to the Environment

Aloha Chair Lowen, Vice Chair Marten, and members of the committee,

On behalf of our 27,000 members and supporters, the Sierra Club of Hawai'i **strongly supports HB1350**, which would develop a tool to assess and map environmental justice (EJ) communities throughout the state of Hawai'i.

HB1350 directs the Environmental Council, University of Hawai'i, Department of Land and Natural Resources, and other stakeholders to develop an EJ mapping tool. The bill includes a list of specific factors relating to community demographics, pollution burdens, and proximity to hazardous sites that would be evaluated and updated at least every 3 years. The bill also includes public outreach on how to use the mapping tool and appropriates funding.

The Sierra Club believes that every Hawai'i resident, regardless of race or income, deserves and has a right to clean air, drinking water, and a safe community. A mapping tool is a welcome step towards integrating social justice and environmental concerns, as it begins to identify the damage, risk, and discrimination facing communities across the islands. By including community engagement and public outreach, the tool can help to foster growth of the environmental justice movement, so that oppressed communities can receive justice and everyone can experience the benefits of a healthy and sustainable future.

We have a few friendly recommendations we hope the committee will consider in advancing this bill:

1. Use existing EJ mapping tools to assist with data gap audits-

In 2015, the United States Environmental Protection Agency released a new environmental justice mapping and screening tool to understand environmental justice throughout the United States, using nationally consistent data from various maps and reports. The tool is called EJSCREEN and can be accessed at: <https://ejscreen.epa.gov/mapper>. We have not reviewed this tool extensively, but EJSCREEN may provide a baseline to help determine where there are local data gaps that could be included or improved upon via HB1350. The

EPA could also inform our state agencies about lessons learned and best practices for the development of the Hawai'i EJ mapping tool.

2. Actively encourage public input and participation in the creation of the EJ mapping tool-

We believe for this tool to be widely accepted by the general public, especially oppressed and marginalized communities, that meaningful engagement needs to happen throughout the process and not just after the tool is released. Relevant stakeholders such as members and representatives of environmental justice communities, advocacy groups, and individuals with expertise should be consulted for input and recommendations. While this bill does include consultation with stakeholders, the committee could look at relevant language in SB1277 to create a "community-led advisory council" to help develop this critical engagement and outreach framework.

Mahalo Vice Chair Marten for introducing this measure and Chair Lowen for placing it on the agenda for discussion. This is one of the first bills we have seen that prioritizes environmental justice in Hawai'i and it is very exciting. We look forward to working with our legislators on HB1350 and future environmental justice legislation.

Thank you very much for this opportunity to provide testimony in **support of HB1350**.

HB-1350

Submitted on: 2/5/2021 1:16:33 PM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ruta Jordans	Individual	Support	No

Comments:

In order to make sure communities that have suffered environmental justice are now not continued to be overlooked, they must be identified. Please support.

HB-1350

Submitted on: 2/6/2021 12:42:31 PM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dyson Chee	Individual	Support	No

Comments:

Thank you for the opportunity to submit testimony in strong support HB1350.

Testimony of Robin Kaye in OPPOSITION to HB1350

This bill, while important in intent, in structure and potential implementation, is not viable. It is flawed in many ways, and should be killed.

Environmental justice mapping is in itself a worthwhile objective. But charging the Environmental Council (EC) with this responsibility is infeasible. The EC is composed of an all-volunteer membership, meets once/month, and has a zero budget. It has functioned without a permanent Director for almost two years. Given those limitations, it is completely unreasonable to require this Council to undertake the responsibility to "...establish an interactive, transparent, integrated, and statewide tool for assessing and mapping environmental justice communities...."

Further, the bill calls for "consultation" with, among other agencies, the university of Hawaii environmental center. This "center" has been defunct for several years; it no longer exists.

The "tool" called for by HB1350 would be an important addition to the State's knowledge of and impact upon communities. Unfortunately, however, the Environmental Council is in no position to undertake the actions called for by this bill. It should NOT be passed.

Thank you for your consideration.

Robin Kaye

Robin Kaye

HB-1350

Submitted on: 2/8/2021 8:52:33 AM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carly Rizzuto	Individual	Support	No

Comments:

I support HB 1350 because environmental justice mapping is an effective and needed tool for understanding the landscapes of social, economic, and environmental injustices in Hawai'i. The tools created by HB 1350 will enable environmental justice to be a consideration and a priority for the state's future projects. HB 1350 will even help the state identify health risks and direct efforts toward nurturing healthier environments for all people. Through environmental justice mapping, we can visualize intersectional issues and make informed advocacy plans to better protect communities.

Finally, in order for the tools created by HB 1350 to be truly effective, community participation must be a part of this project from its conception.

Mahalo,

Carly

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

HB-1350

Submitted on: 2/9/2021 9:10:17 AM

Testimony for EEP on 2/9/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Yuen	Individual	Support	No

Comments:

I strongly support HB1350 which calls for assessing and mapping environmental justice. In order for the citizens to accept decisions made by agencies, the public needs to know what factors were weighed in making the decision. I strongly support HB1350.