

JOSH GREEN, M.D.  
GOVERNOR



LUIS P. SALAVERIA  
DIRECTOR

SABRINA NASIR  
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII  
DEPARTMENT OF BUDGET AND FINANCE  
*Ka 'Oihana Mālama Mo'ohelu a Kālā*  
P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT

TESTIMONY BY LUIS P. SALAVERIA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEES ON GOVERNMENT OPERATIONS, AGRICULTURE  
AND ENVIRONMENT, AND WATER AND LAND  
ON  
SENATE BILL NO. 1597

**February 7, 2023**  
**3:30 p.m.**  
**Room 225 and Videoconference**

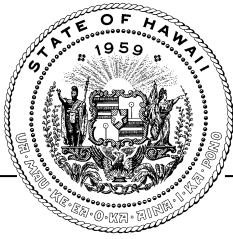
RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 1597 proposes to establish the Hawai'i Environmental Protection Agency as a principal department of the State by transferring certain functions of the Departments of Agriculture and Health to the new agency.

B&F would like to point out that there are bills being heard this session that create additional principal departments. Article V, Section 6, of the Hawai'i Constitution, specifies that there be “. . . not more than twenty principal departments . . . .” Currently, there are 19 principal departments with the establishment of the Department of Law Enforcement by Act 278, SLH 2022.

Thank you for your consideration of our comments.



**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SCOTT J. GLENN**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

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Statement of  
**SCOTT GLENN, Director**

before the  
**SENATE COMMITTEES ON GOVERNMENTAL OPERATIONS,  
AGRICULTURE AND ENVIRONMENT, AND WATER AND LAND**

Tuesday, February 7, 2023, 3:30 PM  
State Capitol, Conference Room 225

in consideration of  
**SB 1597**

**RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY.**

Chairs McKelvey, Gabbard, and Inouye; Vice Chairs Gabbard, Richards, and Elefante; and Members of the Senate Committees on Governmental Operations, Agriculture and Environment, and Water and Land:

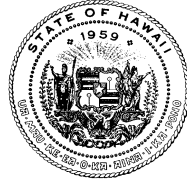
The Office of Planning and Sustainable Development (OPSD) offers the following **comments and requests an amendment** to SB 1597, which establishes the Hawai'i Environmental Protection Agency. Transfers jurisdiction of certain functions and employees of the Department of Agriculture and Department of Health to the Hawai'i Environmental Protection Agency.

Act 152, Session Laws of Hawai'i 2021 recently transferred the State's former Environmental Council, now known as the Environmental Advisory Council (EAC), and the former Office of Environmental Quality Control, now known as the Environmental Review Program, to be a part of the OPSD. The OPSD continues to execute this recent transition and expansion.

The OPSD requests the following amendments in SB 1597 to ensure that the development of a Hawai'i Environmental Protection Agency does not conflict with OPSD's recent incorporation of the EAC:

1. Page 6, Line 3: Please delete "(7) Environmental quality control (chapter 341);"
  - This Chapter pertains to the Environmental Advisory Council, which was recently attached to the OPSD. Presently, the OPSD Environmental Review Program provides staff support to the EAC.
2. Page 23, Line 11 to Page 24, Line 2: Please delete Part V of the measure.

Mahalo for the opportunity to testify on this measure.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. BOX 3378  
HONOLULU, HI 96801-3378  
[doh.testimony@doh.hawaii.gov](mailto:doh.testimony@doh.hawaii.gov)

In reply, please refer to:  
File:

**Testimony COMMENTING on SB1597  
RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY**

SENATOR ANGUS L. K. MCKELVEY, CHAIR  
SENATE COMMITTEE ON GOVERNMENT OPERATIONS  
SENATOR MIKE GABBARD, CHAIR  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
SENATOR LORRAINE R. INOUE, CHAIR  
SENATE COMMITTEE ON WATER AND LAND

Hearing Date: 2/7/2023

Room Number: 225

1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's  
2 Executive Budget Request for the Department of Health's (Department) appropriations and  
3 personnel priorities.

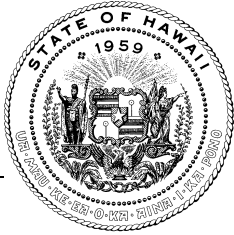
4 **Department Testimony:** The Department appreciates the intent of this measure to "provide a  
5 cabinet-level voice for environmental advocacy" and agrees that it is important to prioritize the  
6 environmental protection work done by the existing branches and offices focusing on  
7 environmental protection, which are housed mostly within the Department's Environmental  
8 Health Administration. Crafting these existing offices into a separate environmental protection  
9 department or agency is one good way to achieve these goals in the long run. However, as the  
10 bill's preamble recognizes, the critical functions of the proposed agency are already being  
11 performed by these existing offices, and the Department has concerns about devoting the  
12 resources required to undertake a major reorganization at this time.

13 Unusual global and local events and the pace of change over the last few years have  
14 strained the Department and its human resources, including in its environmental programs. Right  
15 now, in the face of understaffing and the challenges in hiring that you've heard about from all the  
16 executive departments, we need to keep the time and attention of our existing environmental  
17 protection staff focused on our mission. The Department is unsure how existing human resources

1 could be reallocated to complete the work this bill requires at this time. For example, the  
2 management of the Red Hill water contamination crisis, defueling, and closure requires the  
3 sustained time and attention of some of the same key staff who would also need to be involved in  
4 the work of a major reorganization. The Department's work should be in a very different place  
5 vis a vis Red Hill one year from now. In order to keep our resources focused on current and  
6 critical work, we feel it would be appropriate to reconsider the proposed reorganization next  
7 year.

8 Thank you for the opportunity to testify.

9 **Offered Amendments:** None.



# HAWAII STATE ENERGY OFFICE STATE OF HAWAII

JOSH GREEN, M.D.  
GOVERNOR

MARK B. GLICK  
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813  
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(808) 587-3807  
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## Testimony of MARK B. GLICK, Chief Energy Officer

### before the SENATE COMMITTEES ON GOVERNMENT OPERATIONS, AGRICULTURE AND ENVIRONMENT, AND WATER AND LAND

Tuesday, February 7, 2023  
3:30 p.m.  
State Capitol, Conference Room 225 and Videoconference

With COMMENTS on  
SB 1597

### RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY.

Chairs McKelvey, Gabbard, and Inouye, Vice Chairs Gabbard, Richards, and Elefante, and Members of the Committees, the Hawaii State Energy Office (HSEO) offers comments on SB 1597, which establishes the Hawaii Environmental Protection Agency and transfers jurisdiction of certain functions and employees of the Department of Agriculture and Department of Health to the Hawaii Environmental Protection Agency.

There is precedence for such a consolidation of disparate environmental functions in state government. SB 1597 is reminiscent of the formation of CalEPA established on July 17, 1991 by executive order W-5-91 by Governor Pete Wilson that combined under one agency the Air Resources Board (ARB), the Department of Pesticide Regulation (DPR), the Department of Resources Recycling and Recovery, (CalRecycle), the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB).

As currently written, SB 1597 would appear to have limited effect on HSEO. The HSEO supports OPSD's proposed amendment of SB 1597 in recognition of the recent transfer in Act 152, Session Laws of Hawai'i 2021 of the Environmental Advisory Council (EAC), and the Environmental Review Program, to be a part of the OPSD.

Thank you for the opportunity to testify.

## BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



February 7, 2023

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair  
KAPUA SPROAT, Vice Chair  
MAX J. SWORD  
NA'ALEHU ANTHONY  
JONATHAN KANESHIRO

DAWN B. SZEWCZYK, P.E., Ex-Officio  
EDWIN H. SNIFFEN, Ex-Officio

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

ERWIN M. KAWATA  
Deputy Manager

The Honorable Angus L. K. McKelvey, Chair  
and Members  
Committee on Government Operations  
State Senate  
Hawaii State Capitol  
Honolulu, Hawaii 96813

The Honorable Mike Gabbard, Chair  
and Members  
Committee on Agriculture and Environment  
Hawaii State Capitol, Room 201  
Honolulu, Hawaii 96813

The Honorable Lorraine R. Inouye, Chair  
and Members  
Senate Committee on Water and Land  
Hawaii State Capitol, Room 210  
Honolulu, Hawaii 96813

Dear Chair McKelvey, Chair Gabbard, Chair Inouye and Members:

Subject: Senate Bill 1597: Relating to the Hawaii Environmental Protection Agency

The Honolulu Board of Water Supply (BWS) supports Senate Bill (SB) 1597. The bill proposes amending Hawaii Revised Statutes (HRS) Section 26-4 to create a Hawaii Environmental Protection Agency.

A state environmental protection agency centralizes the work to protect and preserve our environment and natural resources, which will further protect Hawaii's drinking water now and into the future. One example is the California Environmental Protection Agency that uses the latest science-based information and research to develop, implement and enforce environmental laws to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality of the state.

The Honorable Angus L. K. McKelvey, Chair  
The Honorable Mike Gabbard, Chair  
The Honorable Lorraine R. Inouye, Chair  
and Members  
February 7, 2023  
Page 2

The BWS recommends amending the bill to require the Hawaii environmental protection agency to report to a seven-member board in a new stand-alone Section added to the HRS, entitled "Board Oversight," that provides:

"The Hawaii Environmental Protection Agency will report to a seven-member board that consists of one member appointed by each of the following:

- (1) the Office of the Governor;
- (2) the Hawaii State Senate;
- (3) the Hawaii State House of Representatives;
- (4) the Honolulu City Council;
- (5) the Kauai County Council;
- (6) the Hawaii County Council; and
- (7) the Maui County Council."

Thank you for your consideration of our testimony concerning SB 1597.

Very truly yours,



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

**SB-1597**

Submitted on: 2/5/2023 1:28:19 PM

Testimony for GVO on 2/7/2023 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
laurel brier	Testifying for Kauai Climate Action Coalition	Support	Written Testimony Only

Comments:

In the face of the Climate Crisis We must make protecting the environment a top priority. Creating a Hawaii Environmental Protection Agency will help focus on climate mitigation and adaptation and a healthy environment. The health of the people and the economy are dependent on it. Strong Support



# Cynthia K.L. Rezentes

Email: rezentesc@aol.com

February 7, 2023

Committee on Government Operations  
Committee on Agriculture and Environment  
Committee on Water and Land  
February 7, 2023, 3:30 p.m.

**SUBJECT: SB 1597 RELATING TO THE HAWAII ENVIRONMENTAL PROTECTION AGENCY.**

Aloha Chair McKelvey, Chair Gabbard and Chair Inouye,

As a long-time resident of the Wai`anae Community and a former member of the EPA National Environmental Justice Advisory Council, I would like to thank you for the opportunity to provide comments on this proposed bill.

While I believe this is a great first step for Hawai'i to establish its own Environmental Protection Agency to consolidate all of the various agency departments/individuals who do much of the heavy lifting to interface between the Federal Environmental Protection Agency and the State, I would offer a few observations.

The Federal Government has lately emphasized the need to provide a more robust support system to assist environmentally challenged communities of color/low-income status/etc. to be able to provide input as to how many changes continue to exacerbate some of the ills that these communities face, i.e. being located near landfills, being subject to a less robust system of clean, safe drinking water, having a wastewater system that accommodates their communities and protects the environment many rely upon for subsistence farming/fishing. In fact the Federal EPA and the White House has launched the Justice40 program to specifically address these inequalities.

I would encourage these committees to consider adding another chapter to the proposal which include an Environmental Justice advocacy aspect to this new department where it has somewhat resided within the Department of Health to varying degrees of support to follow the directions being set by our Federal partners.

In addition, I am curious as to why the Office of Environmental Quality Control was not added to the subject matter areas included in this new organization and the Environmental Advisory Council also? Both of these organizations hold tremendous potential for the community to more efficiently interface with the newly proposed Environmental Protection Agency as new projects are proposed and evaluated.

I would encourage this committee to increase the scope of this proposal by including all environmental protection aspects currently scattered throughout the State's departments to assure that all are located in one department for ease of management and continuity of the interrelationships that will need to occur to make this a smooth running department representing the people and environment of Hawai'i.

Mahalo,

Cynthia K.L. Rezentes

**Chair(s) Angus McKelvey, Mike Gabbard & Lorraine Inouye**  
**Vice Chair(s) Mike Gabbard, Herbert Richards III, & Brandon Elefante**

**Senate Committee on Government Operations**  
**Senate Committee on Agriculture & Environment**  
**Senate Committee on Water & Land**

**Tuesday February 7, 2023**  
**3:30PM**

**TESTIMONY IN STRONG SUPPORT OF SB1597 RELATING TO THE HAWAII  
ENVIRONMENTAL PROTECTION AGENCY**

Aloha Chair(s) McKelvey, Gabbard & Inouye, Vice Chair(s) Gabbard, Richards & Elefante,  
Members of the Senate Committee(s) on Government Operations, Agriculture & Environment,  
and Water & Land,

My name is Jun Shin. I am a graduate of the University of Hawai‘i at Mānoa and a member of the Hawai‘i State Youth Commission, testifying as an individual in **Strong Support** of **SB1597**, Relating to the Hawaii Environmental Protection Agency. This important measure would allow the State to bring together many different environmental/sustainable programs around water, waste, underground storage tanks, pesticides, air quality, etc currently administered under several different departments/offices, to an agency dedicated to Hawai‘i’s environment.

The Hawai‘i Environmental Protection Agency (HEPA) can focus on continuing to develop and expand those programs, with staff dedicated to fulfilling this obligation. This would hopefully give the other departments/offices more bandwidth and free up resources and staff to fulfill its other missions and responsibilities to the people of Hawai‘i. The environment really needs public institutions that are dedicated to being watchdogs and advocates for its protection/conservation, with the ability and will to work closely with communities affected by environmental injustice, especially in the face of a water crisis locally and a climate crisis globally.

Please **PASS Senate Bill 1597** out of your committee and protect our environment for present and future generations who are yet to come.

Mahalo for the opportunity to testify,

Jun Shin,  
State House District 23 | State Senate District 12  
Cell: 808-255-6663  
Email: junshinbusiness729@gmail.com.

**SB-1597**

Submitted on: 2/5/2023 11:55:29 AM

Testimony for GVO on 2/7/2023 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Nandoskar	Individual	Support	Written Testimony Only

Comments:

Support!

**SB-1597**

Submitted on: 2/5/2023 10:38:01 PM

Testimony for GVO on 2/7/2023 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keith Neal	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB1597

The state of Hawaii has declared a state of climate emergency. A **Hawai'i Environmental Protection Agency** would provide greater prioritization, accountability, and direction for environmental, climate adaptation and mitigation activities across the state.

Keith Neal

Waimea

**SB-1597**

Submitted on: 2/6/2023 8:01:24 AM

Testimony for GVO on 2/7/2023 3:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Virginia Tincher	Individual	Support	Written Testimony Only

Comments:

Chair McKelvey, Vice Chair Gabbard and Senate Committee on Government Operations members

Chair Gabbard, Vice Chair Richards and Senate Committee on Agriculture and Environment members

Chair Inouye, Vice Chair Elefante and Senate Committee on Water and Land members

Mahalo Senators Mckelvey, San Buenaventura, Rhoads, Chang and others for introducing SB1597

I am in strong support of this bill supporting stronger environmental management. SB1597 will provide greater prioritization, accountability, and direction for environmental protection, climate adaptation and mitigation activities across the state.

Virginia Tincher

Aina Haina, Oahu

Member of the Hawaii Environmental Change Agents (HECA) and Hawaii Citizens Climate Lobby

SENATE COMMITTEE ON GOVERNMENT OPERATIONS  
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
SENATE COMMITTEE ON WATER AND LAND

Feb. 7, 2023 at 3:30 pm

SUPPORTING SB 1597

**LATE**

Aloha, my name is John Kawamoto, and I support SB 1497.

Environmental protection should be a priority because Hawaii's magnificent natural environment is being threatened from many directions. Furthermore, much more must be done to mitigate climate change to keep the Earth livable. However, the various environmental protection functions of State government are housed in various departments, which impedes coordination.

This bill creates a department-level Hawaii Environmental Protection Agency, which will coordinate the State's environmental functions and raise the prominence of environmental protection to its rightful place.