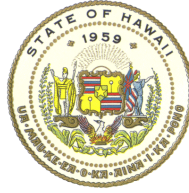


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Wednesday, March 2, 2022
1:00 PM**

State Capitol, Conference Room 308, Via Videoconference

**In consideration of
HOUSE BILL 2256, HOUSE DRAFT 1
RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION**

House Bill 2256, House Draft 1 proposes to establish a Department of Environmental Protection and to create a working group to develop an organizational and functional plan and a plan for the orderly transition of existing departmental functions and resources to the new department. The working group shall finish its work by July 1, 2026. **The Department of Land and Natural Resources (DLNR) offers comments.**

DLNR notes that in 2021, Senate Bill 968 and its companion, House Bill 423 were introduced but not heard. Both bills provided an extensive history of the efforts to create a Department of Environmental Protection, the reasoning for such a department, and a blueprint for transitioning existing laws and functions to a new department.

DLNR agrees that there are inherent conflicts in the current structure but is not clear that the conflicts rise to the level of making reorganization of several departments, to create a new department, worthwhile. Nor is it clear that a new department would effectively address the inherent conflicts.

DLNR suggests that the working group be expanded to include: the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and a representative each from the House and Senate. It should also include the Hawaii Climate Change Commission Coordinator, the City and County of Honolulu Chief Resilience Officer and Executive Director of the City's Resiliency Office. Other than the affected resource agencies, these would be most affected by the changes.

DLNR notes that there is no budget attached to this bill. The work being requested of the working group is difficult and time consuming. If it's to do its work effectively, the working group must have resources dedicated to its efforts. DLNR recommends adding a budget for the working group and naming the chair.

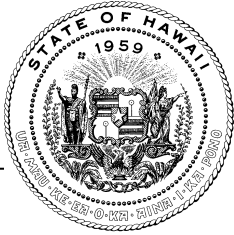
Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone:
Web:

(808) 587-3807
energy.hawaii.gov

Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
HOUSE COMMITTEE ON FINANCE

Wednesday, March 2, 2022
1:00 PM
State Capitol, Conference Room 308 & Videoconference

**COMMENTS
HB 2256 HD1
RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.**

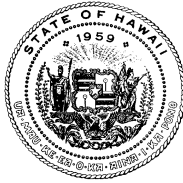
Chair Luke, Vice Chair Yamashita, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on HB 2256, HD1 which establishes a department of environmental protection by July 1, 2026; creates a department of environmental protection working group to address the logistics required for the State to establish a department of environmental protection; and requires the working group to submit a report to the legislature prior to the 2025 regular session; and names the Chief Energy Officer or the Chief Energy Officer's designee as a participant in the working group.

HSEO offers comments concerning the bill's potential to replace or adversely impact priorities indicated in the Executive Supplemental Budget.

If this bill moves forward, HSEO is willing to participate in such a working group. HSEO appreciates the addition in HB2256, HD1 of the Comptroller and the Directors of the Department of Human Resources Development and Finance or their designees in the Department of Environmental Protection Working Group. HSEO recommends the addition of the Department of Accounting and General Services, and the Department of Business, Economic Development and Tourism for its environmental protection responsibilities.

HSEO defers to the appropriate agency concerning the implementation of the bill's requirements.

Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of HB2256 HD1
RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 3/2/2022

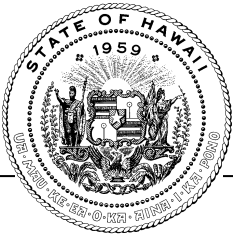
Room Number: 308/Videoconference

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

4 **Department Testimony:** The department supports this measure's thoughtful approach to
5 creating a Department of Environmental Protection. There would be certain advantages, as
6 outlined in the bill's preamble, to creating a department with the core mission of environmental
7 protection. However, the logistical challenges to a successful transition involving so many
8 different existing departments and offices should not be underestimated. Additionally, the
9 department notes that there is no budget attached to this bill. Departments and offices asked to
10 provide members to the working group may find it difficult to divert enough staff time to focus
11 on this task.

12 To cite one example of challenges that must be overcome by the working group, the
13 Hazard Evaluation and Emergency Response Office and branches within the Environmental
14 Management Division of the department are still recovering from losing about 25% of their staff
15 when these offices were moved from Kewalo Basin to Waimano Ridge less than five years ago.
16 The offices were moved to facilities owned by the department to avoid paying costly rent and
17 potentially facing relocation on a short timeline when the Kewalo Basin lease was ended by the
18 new owner. If these offices become part of a new Department of Environmental Protection, will

- 1 they remain in their present location? If these offices must move again, where will they go and
- 2 what effect will another move have on personnel issues, including retention and hiring?
- 3 **Offered Amendments:** None.
- 4 Thank you for the opportunity to testify on this measure.



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

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

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

Telephone: (808) 587-2846
Fax: (808) 587-2824
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Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
HOUSE COMMITTEE ON FINANCE
Wednesday, March 2, 2022
1:00 PM
State Capitol, Conference Room 308
in consideration of
HB 2256, HD1
RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION

Chair Luke, Vice Chair Yamashita, and Members of the House Committees on Finance.

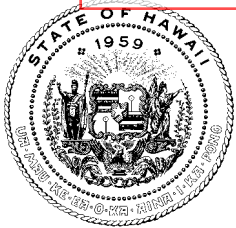
The Office of Planning and Sustainable Development respectfully offers **comments** on HB 2256 which establishes a department of environmental protection by July 1, 2026. Creates a department of environmental protection working group to address the logistics required for the State to establish a department of environmental protection. Requires the working group to submit a report to the legislature prior to the 2025 regular session.

With the recent passage of [Act 45, Session Laws of Hawai'i 2020](#), [Act 152, Session Laws of Hawai'i 2021](#), and [Act 153, Session Laws of Hawai'i 2021](#), the Office of Planning and Sustainable Development continues to transition rapidly despite the office's limited funding and staffing to meet the statewide sea level rise adaptation coordination, sustainability and climate adaptation planning and coordination, economic recovery and resiliency planning, affordable housing collaboration and environmental review requirements over the past six months.

The Office of Planning and Sustainable Development agrees with the preamble of the bill that the ongoing climate crisis is one of the overarching issues of modern times, the protection of the State's environment and natural resources are extremely critical. The Office of Planning and Sustainable Development believes that the State of Hawai'i's sustainability, climate change mitigation, and climate change adaptation requires a multi-agency approach throughout all branches, departments, and agencies of the State of Hawai'i's government and it's counties.

The Office of Planning and Sustainable Development believes that through strong statewide planning and coordination laws in relation to sustainability and climate change issues, including: [Hawai'i Revised Statutes §225M-2](#), [Hawai'i Revised Statutes §225M-3](#), [Hawai'i Revised Statutes §225M-8](#), [Hawai'i Revised Statutes §225M-9](#), [Hawai'i Revised Statutes §225P-3](#), [Hawai'i Revised Statutes §225P-4](#), [Hawai'i Revised Statutes §225P-5](#), [Hawai'i Revised Statutes §225P-7](#), [Hawai'i Revised Statutes §226-108](#), and [Hawai'i Revised Statutes §226-109](#) provides the statewide coordination to unite this important work collectively as a State.

Thank you for the opportunity to testify on this measure.



STATE ENVIRONMENTAL ADVISORY COUNCIL

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM,
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT, STATE OF HAWAII
235 SOUTH BERETANIA STREET, SUITE 702, HONOLULU, HI 96813

Phone: (808) 586-4185
Email: dbedt.opsd.erp@doh.hawaii.gov

Testimony of the Environmental Advisory Council on HB 2256
Before the House Committee on Finance
Conference Room 308 & Videoconference
March 2, 2022 at 1:00 pm

David Y. Ige
Governor

Chairperson
Puananionaona Thoene

Vice Chair
Mary Begier

Members
Roy Abe
Stephanie Dunbar-Co
Dawn Hegger-Nordblom
Makaala Kaaumoana
Ian Robin Kaye
Theresita Kinnaman
Ron Terry
Michael Tulang
N. Mahina Tuteur

Aloha Chair Luke, Vice Yamashita, and Members of the House Committee on Finance:

I am the Chair of the State of Hawai'i Environmental Advisory Council (EAC) and submit this testimony in **SUPPORT** of HB 2256 on behalf of the EAC.

This bill proposes to establish a Department of Environmental Protection on July 1, 2026. Further, it creates a Department of Environmental Protection working group to address the logistics required for the State to establish a Department of Environmental Protection, and requires the working group to submit a report to the legislature prior to the 2025 regular session of the Legislature.

With the growing challenge brought to Hawai'i with ongoing — and worsening — climate change, environmental actions would surely benefit from a more cohesive, integrated approach from the State of Hawai'i. Currently, environmental policy and programs — and priorities — are scattered among many State agencies and offices. A Department of Environmental Protection would focus Hawai'i's governmental resources, providing much greater coordination than currently exists.

The EAC believes that the proposed working group is a critical component that should precede the creation of a new State department. We would suggest that the membership of the working group be expanded to include a representative from the EAC as well as representatives from the neighbor islands.

Thank you for the opportunity to testify on this measure.

Puananionaona Thoene
Chair
Environmental Advisory Council

Robin Kaye
Chair
EAC Legislative Committee

BOARD OF WATER SUPPLY

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



March 2, 2022

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair
KAPUA SPROAT, Vice Chair
RAY C. SOON
MAX J. SWORD
NA'ALEHU ANTHONY

JADE T. BUTAY, Ex-Officio
DAWN B. SZEWCZYK, Designate Ex-Officio

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

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

The Honorable Sylvia Luke, Chair
The Honorable Kyle T. Yamashita, Vice Chair
and Members
Committee on Finance
House of Representatives
Hawaii State Capitol, Room 308
Honolulu, Hawaii 96813

Dear Chair Luke, Vice Chair Yamashita and Members:

Subject: House Bill 2256, HD1: Relating to a Department of Environmental Protection

The Honolulu Board of Water Supply (BWS) supports House Bill (HB) 2256, House Draft (HD) 1. The bill proposes amending Hawaii Revised Statutes (HRS) Section 26-4 to create a department of environmental protection.

A state department of environmental protection centralizes the protection and preservation of 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 BWS recommends amending the bill to require the department of environmental protection report to a seven member board in a new stand-alone Section added to the HRS, entitled "Board Oversight," that provides:

"The Department of Environmental Protection 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."

The Honorable Sylvia Luke, Chair
The Honorable Kyle T. Yamashita, Vice Chair
and Members
March 2, 2022
Page 2

Thank you for your consideration of our testimony concerning HB 2256, HD1.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Ernest Y.W. Lau', written in a cursive style.

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

HB-2256-HD-1

Submitted on: 2/28/2022 8:41:46 PM

Testimony for FIN on 3/2/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|--------------|----------------------------|--------------------|----------------------------|
| Ted Bohlen | Climate Protectors Hawai'i | Support | No |

Comments:

The Honorable Sylvia Luke, Chair, The Honorable Kyle Yamashita, Vice Chair, and Members of the House Committee on Finance

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing **HB2256 HD1 RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.**

Hearing: Wednesday, March 2, 2022, 1:00 p.m., CR 308 and by videoconference

Aloha Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance:

The Climate Protectors Hawai'i is a group focused on reversing the climate crisis and encouraging Hawai'i to lead the world towards a safe and sustainable climate and future. The Climate Protectors Hawai'i **supports** this bill.

Unlike most states, Hawaii has no executive-level department dedicated to the mission of environmental protection and implementing the environmental policy goals enacted by the Legislature. Instead, these functions are dispersed among multiple state departments and agencies having differing missions that either do not focus on the importance of environmental protection or have internal conflicts.

Because the ongoing climate crisis is one of the overarching issues of modern times, the protection of the State's environment and natural resources is more critical than ever. Although almost all issues are multi-jurisdictional, creating an executive-level department to unite this important work under one administrative umbrella will lead to greater efficiency in addressing Hawaii's environmental issues in a timely and proactive fashion.

The working group approach is appropriate for this matter, given the complexity.

Please pass this bill!

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Sylvia Luke, Chair
The Honorable Kyle T. Yamashita, Vice Chair
Committee on Finance

Re: **HB 2256 HD 1 – RELATING TO THE DEPARTMENT OF HAWAIIAN HOME
LANDS**

Hearing: Wednesday, March 2, 2022, 1:00 p.m., Conference Room 308 and
Via Videoconference

Position: **Strong support**

Aloha, Chair Luke, Vice Chair Yamashita, and Members of the Committees on Finance:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of HB 2256 HD 1. This measure would establish a department of environmental protection on July 1, 2026. It would create a department of environmental protection working group to address the logistics required for the State to establish a department of environmental protection. It would also require the working group to submit a report to the legislature prior to the 2025 regular session.

The State of Hawaii needs an executive-level department dedicated to the protection of its environment and natural resources. This executive-level department will unite this vital work under a single administrative umbrella leading to greater efficiency in addressing Hawaii's environmental issues in a timely and proactive manner.

For these reasons, the Environmental Caucus of the Democratic Party of Hawai'i strongly supports HB 2256 HD1 as it would create a department of environmental protection working group to address the logistics required for the State to establish a department of environmental protection. Please pass this measure.

Mahalo for the opportunity to testify,

Melodie Aduja

Alan Burdick

Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i

Email: legislativepriorities@gmail.com

HB-2256-HD-1

Submitted on: 2/28/2022 1:44:53 PM

Testimony for FIN on 3/2/2022 1:00:00 PM

| Submitted By | Organization | Testifier Position | Remote Testimony Requested |
|---------------------|---------------------|---------------------------|-----------------------------------|
| Gerard Silva | Individual | Oppose | No |

Comments:

THIS IS JUST MORE Wast. We do not need this department to begin with!!