

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

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

REPRESENTATIVE NICOLE E. LOWEN, CHAIR
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Hearing Date: 2/10/2022

Room Number: 325/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. We believe it is
9 important to add to the working group a representative each from the Department of Human
10 Resources Development, the Department of Accounting and General Services, and the
11 Department of Budget and Finance to address personnel- and facilities-related logistics in the
12 planning process.

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

1 location? If these offices must move again, where will they go and what effect will another move
2 have on personnel issues, including retention and hiring?

3 **Offered Amendments:** In section 3, add members of the working group from the Department
4 of Human Resources Development, the Department of Accounting and General Services
5 (facilities), and the Department of Budget and Finance to address personnel- and facilities-
6 related logistics in the planning process.

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

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
ENERGY AND ENVIRONMENTAL PROTECTION**

**Thursday, February 10, 2022
9:00 PM**

State Capitol, Conference Room 325, Via Videoconference

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

House Bill 2256 proposes to establish a firm deadline by which a Department of Environmental Protection shall be created and creates a Department of Environmental Protection Working Group to fulfill the mandate of creating the Department of Environmental Protection. **The Department of Land and Natural Resources (Department) offers comments.**

The Department notes that last year 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. House Bill 2256 pares everything down to 1) establishing a Department of Environmental Protections and 2) creating a working group to develop the structure and funding for the new department as well as a transition plan.

The department suggests that the working group be the focus of this bill, and that it be expanded to include: the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the Department of Agriculture and a representative each from the House and Senate. It should also include the Hawaii Climate Change Commission Coordinator and the City and County of Honolulu Chief Resilience Officer and Executive Director of the City's Resiliency Office.

Although much work has already been done by prior working groups, the proposal still needs further discussion. Provide the working group the flexibility to ask a different question if necessary. Have we defined the problem adequately and will a new department solve the problem? If the answer is yes, are small steps better?

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

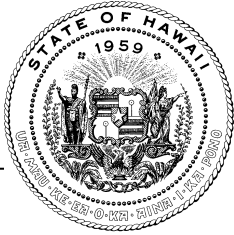
ROBERT K. MASUDA
FIRST DEPUTY

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

The Department notes that there is no budget attached to this bill. Members of the Working Group will find it difficult to divert enough existing staff to focus on this task. The Department also notes that since this is an election year, much of the Executive Branch leadership will change in January 2023. Without a budget, it's unlikely that the working group will get started until after the new governor chooses department heads. Both funding and timing of the start of the Working Group should be taken into consideration.

Thank you for the opportunity to comment on this measure.



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

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Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Thursday, February 10, 2022
9:00AM
State Capitol, Conference Room 325 & Videoconference

COMMENTS
HB 2256
RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION.

Chair Lowen, Vice Chair Marten, and Members of the Committee, the Hawai'i State Energy Office (HSEO) 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; 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. Given the administrative aspects of such an effort, including the Department of Human Resources Development, the Department of Accounting and General Services, and the Department of Budget and Finance may be appropriate, as well as 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.

BOARD OF WATER SUPPLY

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



February 9, 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 *llk*

The Honorable Nicole E. Lowen, Chair
and Members
House Committee on Energy & Environmental Protection
Hawaii State Capitol, Room 325
Honolulu, Hawaii 96813

Dear Chair Lowen and Members:

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

The Honolulu Board of Water Supply (BWS) supports House Bill (HB) 2256. 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 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 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 Nicole E. Lowen, Chair
and Members
February 9, 2022
Page 2

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

Very truly yours,



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

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
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and Members
February 9, 2022
Page 2

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Very truly yours,



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

HB-2256

Submitted on: 2/7/2022 8:01:34 PM

Testimony for EEP on 2/10/2022 9:00:00 AM

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

Comments:

This is a wast of Money for something that does not Exsit!!!



Restore the Commons

Thursday, February 10, 2022, 9:00 am

House Committee on Energy and Environmental Protection

HOUSE BILL 2256 – RELATING TO A DEPARTMENT OF ENVIRONMENTAL PROTECTION

Position: Oppose

Me ke Aloha, Chair Lowen, Vice-Chair Marten, and Members of the Committee on Energy and Environmental Protection

The Legislature has done an admirable job in consolidating relevant agencies into a focused capacity for action on crucial environmental actions. The Office of Planning and Sustainable Development, the Green Infrastructure Authority, the Greenhouse Gas Sequestration Task Force, the Climate Change Mitigation and Adaptation Commission all guide responsible actions by the Department of Land and Natural Resources, its Divisions of Land, Forestry, Aquatics, and others, and the Commission on Water Resource Management acts with its own trustees in protection of the Public Trust. The Department of Health administers programs delegated by the U.S. Environmental Protection Agency.

One may argue that these do not do enough for environmental protection, but that is not for lack of authority. Better coordination may be required, and this is the normal function of a Governor, and better funding to do the work is notoriously lacking. **Another agency is not needed.** Greater will power, more public support, and more creative funding may all contribute, and public support for more concerted action in the face of climate change is everyone's job.

Mahalo for the opportunity to address this issue,

Charley Ice, Hoa'āina; and co-chair of the Energy and Climate Action Committee of the Environmental Caucus of the Hawaii Democratic Party

HB-2256

Submitted on: 2/8/2022 5:37:23 PM

Testimony for EEP on 2/10/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lois Crozer	Individual	Support	No

Comments:

I'm surprised we don't have a dept already! Yikes.

HB-2256

Submitted on: 2/9/2022 12:18:07 AM

Testimony for EEP on 2/10/2022 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ilima DeCosta	Individual	Support	No

Comments:

I support this bill! Mahalo