

**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
AND
HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES**

Thursday, March 15, 2012
9:45 AM
State Capitol, Conference Room 325

in consideration of
SB 2745 SD1
RELATING TO ENVIRONMENT.

Chairs Coffman and Chang, Vice Chairs Kawakami and Hara, and Members of the House
Committees on Energy and Environmental Protection and Water, Land, and Ocean Resources.

The Office of Planning (OP) supports SB 2745 SD1, which proposes to amend the
Hawaii State Planning Act, Hawaii Revised Statutes (HRS) Chapter 226, by adding a climate
change adaptation priority guideline to part III of the Act.

The purpose of this bill is to encourage collaboration and cooperation between county,
state, and federal agencies, policy makers, businesses, and other community partners to plan for
the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of
future generations. The bill is structured as a priority guideline to the State Planning Act, which
falls under the jurisdiction of OP under HRS Chapters 226 and 225M.

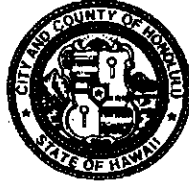
OP views climate change as a serious threat to the State of Hawaii and its people, natural resources, economy, food and water security, and public infrastructure, and as such, we have found ways to help prepare the State of Hawaii for the impacts of climate change through its planning functions, the Coastal Zone Management Program, existing mandates (such as the Ocean Resources Management Plan under HRS Chapter 205A-61), and with the support of county, state, and federal agencies and other stakeholders. While there are a number of climate change planning efforts on-going through various initiatives, we believe this measure will provide a solid policy foundation from which current and future planning efforts can be coordinated in a meaningful and effective way. Adding a climate change priority guideline to the State Planning Act will provide the basis for climate change considerations in all state and county planning, will provide the necessary authority for agencies to commit resources, and will provide a statewide framework with which to guide state and county agencies, as well as other stakeholders, on how to reduce Hawaii's vulnerability and increase resilience to the effects of climate change, and therefore be better prepared to adapt to the changing environment.

Thank you for the opportunity to submit testimony on this measure.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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PETER B. CARLISLE
MAYOR



DAVID K. TANOUE
DIRECTOR

JIRO A. SUMADA
DEPUTY DIRECTOR

March 15, 2012

The Honorable Denny Coffman, Chair
and Members of the Committee on
Energy & Environmental Protection
The Honorable Jerry L. Chang, Chair
and Members of the Committee on
Water, Land, and Ocean Resources
State House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Coffman, Chang and Members:

**Subject: Senate Bill No. 2745, SD1
Related to Environment**

The Department of Planning and Permitting **supports** the SD1 version of Senate Bill No. 2745, which would amend the Hawaii State Planning Act (HRS Chapter 226) by adding climate change adaptation priority guidelines under Part III of the Chapter. The priority guidelines would formally embrace adapting to the expected impacts of climate change at the State and County levels.

The bill, if passed, would lay a foundation to guide physical planning and help prioritize funding and future implementation actions to adapt to climate change.

We recommend the passage of Senate Bill No. 2745 in its SD1 version. Thank you for the opportunity to testify.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David K. Tanoue", is written over a horizontal line.

David K. Tanoue, Director
Department of Planning and Permitting

DKT:jmf
sb2745sd1-Environment-mw.doc



**Testimony to the House Committees on Energy and Environmental Protection
Water, Land and Ocean Resources
Thursday, March 15, 2012
9:45 a.m.
State Capitol - Conference Room 325**

RE: SENATE BILL NO. 2745 SD 1, RELATING TO ENVIRONMENT

Chairs Coffman and Chang and Vice Chairs Kawakami and Har, and members of the committees:

The Chamber of Commerce of Hawaii supports the intent of S.B. No. 2745 SD1. The bill proposes to create a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines.

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

As drafted, the bill proposes to amend Chapter 226, HRS to require the office of planning to focus on preparing for and adapting to the expected impacts of climate change. The purpose of this bill is to encourage collaboration and cooperation between county, state, and federal agencies, policy makers, businesses, and other community partners to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of future generations.

The Chamber believes that guidance through effective public policy legislation is the first step the State needs to develop plans for the anticipated impacts of climate change.

Thank you for this opportunity to express our views.



American Planning Association Hawai'i Chapter

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of the

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March 12, 2012

The Honorable Denny Coffman, Chair
And Members of the Committee on Energy and Environmental Protection
The Honorable Jerry L. Chang, Chair
And Members of the Committee on Water, Land, and Ocean Resources
House of Representatives
Hawaii State Capitol
Honolulu, Hawaii 96813

Subject: SUPPORT for SB 2745 SD1 Relating to Climate Adaptation

Dear Chairs Coffman, Chang, and Members:

The Hawaii Chapter of the American Planning Association (APA) wishes to express its support for SB 2745 SD1 which amends Chapter 226 to establish priority guidelines for climate change adaptation and to include in the Chapter's overall direction statement an explicit reference to climate change adaptation.

The APA's Policy Guide on Planning and Climate Change (dated April 11, 2011) recommends a policy framework to assist communities in dealing with climate change and its implications. The Policy Guide includes the following:

State and Local Role Policy 1: Climate Change Planning

State and local governments should pursue climate action plans, regulatory measures, incentives, technical standards and specifications, integration of climate change mitigation and adaption measures into comprehensive, neighborhood and regional plans, and other plans and programs in a regionally and/or locally appropriate fashion.

State and Local Role Policy 2: State, Regional and Local Action on Climate Change

Planners support collaboration and coordination by state, regional and local governments and governmental agencies to set greenhouse gas emission goals; develop and implement plans to address climate change; and incorporate climate impacts, indicators, benchmarks and targets in plans and development reviews.

State and Local Role Policy 3: Regional Coordination

Encourage coordination and collaboration in multi-jurisdictional planning initiatives to address climate change and its implications at a regional level, including adopting new requirements and structures for collective action on climate-related planning and projects.

*founded in 1962, the
hawai'i chapter has over
300 members, including
planning officials, public
and private sector planners,
and community advocates,
on the major islands
across the state*

*e mālama pono i ka 'āina;
nānā mai ke ola
take good care of the land;
it grants you life*

It is incumbent on planners to work towards addressing both the mitigation and adaptation components of the climate change response. The need for both mitigation and adaptation responses to climate change makes planning central to any policy solution. Planners must play a key role in promoting energy efficiency in the existing built environment and changing development patterns, transportation systems, and regulations in ways that reduce GHG emissions, while simultaneously enhancing the resilience of communities to unavoidable climate impacts through adaptive responses such as stormwater management, improved hazards planning, and efficient use of climate-sensitive resources like water.

The proposed legislation is consistent with these policies and we applaud the legislature in its efforts to include climate change adaptation in Hawai'i's State Plan.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul Luersen", with a stylized flourish at the end.

Paul Luersen,
President
Hawai'i Chapter, American Planning Association

PL:lws



LIFE OF THE LAND

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COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Denny Coffman, Chair

Rep. Derek S.K. Kawakami, Vice Chair

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Rep. Jerry L. Chang, Chair

Rep. Sharon E. Har, Vice Chair

DATE: Thursday March 15, 2012

TIME: 9:45 a.m.

PLACE: Conference Room 325

BILL: SB 2745 SD1 Climate Mitigation

PASS WITH AMENDMENT

Aloha Chairs Coffman and Chang, Vice Chairs Kawakami and Har, and Members of the Committees

My name is Henry Curtis and I am the Executive Director of Life of the Land, Hawai`i's own energy, environmental and community action group advocating for the people and `aina for four decades. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

SB 2745 discusses establishing "Priority guidelines to prepare the State to address the impacts of climate change"

One practical priority: Adding a new section of HRS focusing on the role of the Public Utilities Commission:

HRS §269-92 (e) Renewable portfolio standards. The Commission shall consider the relative climate impacts of different alternatives.

Testimony of The Nature Conservancy of Hawai'i
Supporting S.B. 2745 SD1 Relating to Environment
House Committee on Energy and Environmental Protection
Senate Committee on Water, Land and Ocean Resources
Thursday, March 15, 2012, 9:45AM, Rm. 325

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports S.B. 2745 SD1 to amend the Hawai'i State Planning Act to include guiding policies for adapting to the effects of climate change.

Climate change is an imminent and unprecedented threat to natural systems (e.g., forests, coastlines, coral reefs, wetlands) and to every person in Hawai'i that—whether they know it or not—depends on services from the natural environment for their livelihoods, health and welfare. Scientists have examined the evidence and rapid climate change is real; it is clearly caused by human activity; it is already a problem for habitat for plants and animals; and, if sources of CO₂ are not dramatically reduced, climate change could well have catastrophic results for people and their relationship with the natural environment.

Even if we drastically reduce CO₂ emissions now, we will still feel the effects of climate change. In Hawai'i, science indicates that this may include:

- More frequent and more severe storms, and increased runoff and siltation;
- Overall, less rainfall and therefore less fresh water;
- Higher temperatures that may affect the health of forested watersheds;
- Climatic conditions even more conducive to invasive plants, insects and diseases;
- Sea level rise and high wave events that will harm coastal areas and groundwater systems; and
- Ocean acidification that will inhibit the growth of protective coral reefs.

We must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. Two of the most effective tools we have to help address the effects of climate change in Hawai'i is to protect our forests and coral reefs. Healthy and diverse Hawaiian forests act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events. Healthy coral reefs that are free of non-native invasive algae and runoff are better able to withstand the effects of temperature changes and acidification, while continuing to provide food and storm protection for coastal areas.

We support this measure and look forward to being a part of successful adaptation strategies in our area of expertise related to the natural environment of these islands.

BOARD OF TRUSTEES

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WINDWARD AHUPUA'A ALLIANCE

From the Peaks of *Na Ko'olau* to the Outer Reefs

*Community-Based Planning
Sustainable Economic Development
Restoration, Preservation, Protection & Public Access
Educational & Cultural Programs*

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Denny Coffman, Chair

Rep. Derek S.K. Kawakami, Vice Chair

COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES

Rep. Jerry L. Chang, Chair

Rep. Sharon E. Har, Vice Chair

9:45 am

Thursday, March 15, 2012

Conference Room 325

SB 2745 SD1 - RELATING TO ENVIRONMENT

Comments

My name is Shannon Wood, the president & co-founder of the *Windward Ahupua'a Alliance*, a 501c3 Hawai'i non-profit corporation, which was established in July, 2002. *WAA* works to educate & inform residents, visitors, businesses, policymakers at all three levels of government, and the media about the short and long-term impacts of climate change, global warming & rising sea levels around the world.

Specifically, we are working on both legislative and administrative policy changes which will actually address the impacts to be faced by everyone on the planet by people who are currently under the age of 45 or 50.

I've been professionally involved with these issues for nearly 15 years and have not only focused on public policy issues but also have taken a number of collegiate-level marine & climate science classes and service project trips to learn more about climate change impacts on the world.

In addition to my work here in Hawai'i, for the past three years, I've been actively involved in a national advocacy group based in Washington, D.C. and at the *United Nations* in New York City focusing on Pacific Ocean issues.

National public policies have changed in ways that will have a horrendous impact on us here in Hawai'i. National leaders expanding the use of fossil fuels and voters are electing more & more climate deniers. What was a given a few years ago to move forward with making a serious attack on climate change and rising sea levels is now considered a stupid, job-killing action by a bunch of left-wing enviros.

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Author Naomi Klein in a recent interview stated:

"The piece came out of my interest and my shock at the fact that belief in climate change in the United States has plummeted. If you really drill into the polling data, what you see is that the drop in belief in climate change is really concentrated on the right of the political spectrum. It's been an extraordinary and unusual shift in belief in a short time. In 2007, 71 percent of Americans believed in climate change, and in 2009 only 51 percent believed — and now we're at 41 percent. So I started researching the denial movement and going to conferences and reading the books, and what's clear is that, on the right, climate change is seen as a threat to the right's worldview, and to the neoliberal economic worldview. It's seen as a Marxist plot. They accuse climate scientists of being watermelons — green on the outside and red on the inside.

This *Abercrombie Administration* bill along with the *House* version - **HD 2483 HD1** - caught me completely off-guard. After all, I've been working on these issues in this building for a very long time; however, no one told me about the public policy shift away from mitigation to adaptation - two very different concepts - and upcoming legislation.

There is not enough time in this hearing to go through the bill line-by-line. However, there are three main points I'd like you to consider now in determining whether to move this bill forward.

The first issue deals with the Ocean Resources Management Plan Policy Group and Working Group. See attachment.

According to the language in the bill, the two groups, along with other stakeholders from academia, business and Native Hawaiian communities, met for a two-day conference in August 2011 to address a wide range of climate change issues to implement the first steps of the Framework for Climate Change Adaptation in Hawai'i (November 2009). Monthly meetings have continued during which the foundation for this bill was laid out.

Sounds great - except the first time I heard/read about the groups was in reading the two bills. I asked a number of colleagues as to whether they took part and how did they find out about it. I couldn't find out why I wasn't invited to take part.

Several people did say that participation in the two-day meeting was **BY INVITATION ONLY** and that the follow-up meetings have not been publicized.

I attended its March 8 meeting and was again profoundly disturbed by what I saw & heard. About 35 people were in the room - and as far as I could tell, I was the only member of the public. There might have been one or two others from NGOs, but the vast majority were there as part of their "day jobs" to talk about what they're hoping to accomplish some time in the future.

Sounds good, but the vast majority of the reports being made dealt with studies and research and attending professional meetings. One person did bring up his dealing with a major state department concerning a construction project next to the ocean, but his request for support and help in addressing the matter were passed over by the group.

There was some talk about public outreach meetings sometime during the next couple of years. However, ~~there was absolutely no discussion about pending or even proposed legislation or administrative rules changes to address the issues they're studying & researching.~~

According to one of the participants, the group might be coming to the Capitol with legislative proposals sometime in the next five to eight years.

The second issue deals with the bill's vagueness in its core language and the lack of legislative recommendations to address the critical issues we have to address NOW - not in the dim & distant future.

Instead what you are recommending is legislation that contains mooshy, feel-good language that doesn't really do anything to mitigate - or adapt - to what Hawai'i is going to be like 40 years from now.

- (1) Ensure that Hawaii's people are educated, informed, and aware of the impacts climate change may have on their communities;
- (2) Encourage community stewardship groups and local stakeholders to participate in planning and implementation of climate change policies;
- (3) Invest in continued monitoring and research of Hawaii's climate and the impacts of climate change on the State;
- (4) Consider Native Hawaiian traditional knowledge and practices in planning for the impacts of climate change;
- (5) Encourage the preservation and restoration of natural landscape features (such as coral reefs, beaches and dunes, forests, streams, floodplains, and wetlands) that have the inherent capacity to avoid, minimize, or mitigate the impacts of climate change;
- (6) Explore adaptation strategies that moderate harm or exploit beneficial opportunities in response to actual or expected climate change impacts to the natural and built environments;
- (7) Promote sector resilience (in areas such as water, roads, airports, and public health) by encouraging the identification of climate change threats, assessment of potential consequences, and evaluation of adaptation options;
- (8) Foster cross-jurisdictional collaboration between county, state, and federal agencies and partnerships between government and private entities and other non-governmental entities, including non-profit entities;
- (9) Use management and implementation approaches that encourage the continual collection, evaluation, and integration of new information and strategies into new and existing practices, policies, and plans;
- (10) Encourage planning and management of the natural and built environments that effectively integrate climate change policy.

The third issue has to do with money. Given all the agencies and departments taking part in the working group, there is no need for any more money from Hawai'i taxpayers - unless were are included in the discussions and specific legislation is offered before we start paddling along Kalakaua Avenue.

Mahalo for the opportunity to present my grave concerns about this bill.

Policy Group and Working Group Members:

- **City and County of Honolulu, Board of Water Supply**
- **City and County of Honolulu, Department of Planning and Permitting**
- **County of Hawaii, Planning Department**
- **County of Kauai, Planning Department**
- **County of Maui, Department of Planning**
- **Marine and Coastal Zone Advocacy Council (MACZAC)**
- **NOAA Office of National Marine Sanctuaries, Pacific Islands Region**
- **NOAA Office of Ocean & Coastal Resource Management**
- **NOAA Pacific Services Center**
- **Office of Hawaiian Affairs**
- **State of Hawaii Department of Agriculture, Aquaculture Development Program**
- **State of Hawaii Civil Defense**
- **State of Hawaii Department of Health**
- **State of Hawaii Department of Land & Natural Resources**
- **State of Hawaii Department of Transportation, Harbors Division**
- **State of Hawaii Office of Planning**
- **United States Coast Guard**
- **United States Army Corps of Engineers**
- **University of Hawaii, Center for Island Climate Adaptation and Policy**
- **University of Hawaii, School of Ocean and Earth Science & Technology / Pacific Ocean Observing System**
- **University of Hawaii, Sea Grant College Program**

BIA-HAWAII
BUILDING INDUSTRY ASSOCIATION

**Testimony to the House Committees on Energy and Environmental Protection and
Water, Land and Ocean Resources
Thursday, March 15, 2012
9:45 a.m.
State Capitol - Conference Room 325**

RE: SENATE BILL NO. 2745 SD 1, RELATING TO ENVIRONMENT

Chairs Coffman and Chang, Vice Chairs Kawakami and Har, and members of the Committees:

I am Gladys Marrone, Director of Government Relations for the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii supports the intent of S.B. No. 2745 SD1. The bill proposes to create a climate change adaptation policy for the State of Hawaii by amending the Hawaii State Planning Act to include climate change adaptation priority guidelines.

As drafted, the bill proposes to amend Chapter 226, HRS to require the office of planning to focus on preparing for, and adapting to, the expected impacts of climate change. The purpose of this bill is to encourage collaboration and cooperation between county, state, and federal agencies, policy makers, businesses, and other community partners to plan for the impacts of climate change and avoid, minimize, or mitigate loss of life, land, and property of future generations.

BIA believes that guidance through effective public policy legislation is the first step the State needs to develop plans for the anticipated impacts of climate change.

Thank you for this opportunity to express our views.

Re: S.B. 2745, SD1

Committee: Committee on Energy & Environmental Protection
Committee on Water, Land, and Ocean Resources

Hearing Date: March 15, 2012

Time: 9:45 am

Room: Conference Room 325

Number of copies needed:

Dear Honorable Representatives Coffman & Chang, Chairs; Honorable Representatives Kawakami & Har, Vice Chairs; and Members of the Committees:

My name is Diane Brucato-Thomas, RDH, EF, BS, FAADH, a Puna landowner since 1986 and resident since 1991. This testimony is **in opposition of S.B. 2745, SD1**, which amends the Hawaii State Planning Act to include climate change adaptation priority guidelines.

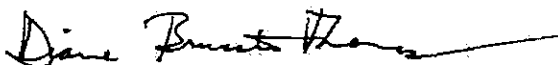
The passing of this bill would:

- 1) facilitate the exploration and development of geothermal in Puna, a rapidly growing residential zone with no regard for residents' right to quiet, dark, and safety, especially considering there are no measures in place for emergency evacuation;
- 2) decrease property values for residents
- 3) interfere with ecotourism of the unique environment of Puna
- 4) potentially interfere with the business of interstellar exploration by telescopes at observatories due to extremely bright lights;
- 5) by not requiring Environmental Assessment or Environmental Impact Statement, there is a great potential for take of Endangered Newell Shearwater known to nest at Puulena Crater, due to:
 - a. Extremely bright lights, which confuse fledglings that navigate by the moon to find the sea
 - b. Overhead high power lines, which interfere with birds' flight patterns.

At this time, the existing geothermal plant has yet to comply with original permits to screen lights so as not to interfere with Puulena Crater. Norma Creps of DLNR has stated that such protective shading is definitely possible, while still maintaining safety for workers, helicopters, and planes.

Please see documentation below, which includes biological survey statement and area map. I urge you to oppose this legislation. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Brucato-Thomas", with a long horizontal flourish extending to the right.

Diane Brucato-Thomas, RDH, EF, BS, FAADH



United States Department of the Interior
NATIONAL BIOLOGICAL SERVICE

Hawaii Field Station
P.O. Box 44
Hawaii National Park, HI 96718
Phone: (808) 967-7396 FAX: (808) 967-8568

August 5, 1996

Dear Diana Thomas:

In response to your request for information on the status of specific species that occur at Puulena Crater and the habitat requirements of these species, please refer to the table below.

Table 1. Federally listed birds and bat found at Puulena Crater, Hawaii.

Common name	Species	Regulatory Status ¹
Hawaiian owl, Pueo	<i>Asio flammeus sandwicensis</i>	Not listed, HE on Oahu only
Hawaiian hawk, I'o	<i>Buteo solitarius</i>	FE, HB
Seabirds		
Newell's shearwater, A'o	<i>Puffinus puffinus newelli</i>	MB, FT, HE
Bat		
Hawaiian hoary bat, Ope'ape'a	<i>Lasiurus cinereus semotis</i>	FE, HE

¹Regulatory status of each species protected by the U.S. Migratory Bird and Endangered Species Acts. FE = Federally Endangered, FT = Federally Threatened, HE = State of Hawaii Endangered, MB = Migratory Bird

In 1993 and 1994 we confirmed the presence of Hawaiian hoary bat, Newell's shearwater, Hawaiian hawk in Puna at Puulena Crater. Newell's shearwater and the Hawaiian Hawk use Puulena Crater for breeding. The Hawaiian Hawk is dependent on nesting trees around the crater, and the Newell's Shearwater is dependent on the uluhe fern (*Dicranopteris linearis*) and ohia trees (*Metrosideros polymorpha*). The thick barrier of uluhe fern surrounding the crater provides some protection against predators as well as nesting habitat.

Puulena Crater is an important natural resource. It is the largest of only three nesting areas known in Puna for the Newell's Shearwater. It is also a unique area in that it supports two species of Hawaiian Honeycreepers (Apapane and Amakihi) at the lowest known elevation. The native vegetation surrounding the crater is important to the survival of the native Hawaiian wildlife that has been extirpated throughout much of lower Puna.

Thank you in your interest in the conservation of the unique wildlife found at Puulena Crater.

Sincerely,

Michelle Reynolds

Michelle Reynolds
Wildlife Biologist

