

OFFICE OF PLANNING STATE OF HAWAII

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Statement of
LEO R. ASUNCION
Planning Program Administrator, Office of Planning
before the
**HOUSE COMMITTEES ON ENERGY & ENVIRONMENTAL PROTECTION
AND
WATER, LAND & HAWAIIAN AFFAIRS**
Thursday, March 14, 2019
9:30 AM
State Capitol, Conference Room 325

in consideration of
SB 1054 SD2
RELATING TO PLANNING.

Chairs Lowen and Yamane, Vice Chairs Wildberger and Todd, and Members of the House Committees on Energy & Environmental Protection, and Water, Land & Hawaiian Affairs.

The Office of Planning (OP) supports the amendment to Section 2 of the measure which adds a new section to HRS Chapter 226 “§226- Climate change hazards and mitigation planning; required.”

OP defers to the Public Utilities Commission on amendments to Section 3, HRS “§269- Sea level rise vulnerability; infrastructure sites.”

Thank you for the opportunity to testify in this matter.

TESTIMONY OF
JAMES P. GRIFFIN, Ph.D.
CHAIR, PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

TO THE
HOUSE COMMITTEES ON
ENERGY AND ENVIRONMENTAL PROTECTION
AND
WATER, LAND, AND HAWAIIAN AFFAIRS

March 14, 2019
9:30 a.m.

Chairs Lowen, Yamane, and Members of the Committees:

MEASURE: S.B. No. 1054 SD2

TITLE: RELATING TO PLANNING.

DESCRIPTION: Requires the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping. Requires the Public Utilities Commission, and any public utility regulated by the Public Utilities Commission, to consider the findings in the Hawaii Sea Level Rise Vulnerability and Adaptation Report. Encourages each county to participate in the community rating system developed by the National Flood Insurance Program. Effective 7/1/2050. (SD2)

POSITION:

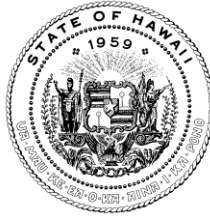
The Public Utilities Commission offers the following comments for consideration.

COMMENTS:

The Public Utilities Commission ("Commission") carefully considers the impacts of climate change in its decision-making and will continue to consider climate change in reviewing future infrastructure projects. As such, the Commission is appreciative of Legislative guidance to consider the findings of the Hawaii Sea Level Rise Vulnerability and Adaptation Report and to seek to avoid critical infrastructure projects in areas of higher risk.

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

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

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House s Committees on
ENERGY & ENVIRONMENTAL PROTECTION
&
WALTER, LAND & HAWAIIAN AFFAIRS**

**Thursday, March 14, 2019
10:30a.m.
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 1054, SENATE DRAFT 2
RELATING TO PLANNING**

Senate Bill 1054, Senate Draft 2 proposes to require the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping, to increase our State's resiliency and ability to properly respond to natural disasters. The bill also requires the public utilities commission to consider the findings of the Hawaii Sea Level Rise Vulnerability and Adaptation Report (Hawaii Sea Level Rise Report) and encourages each county to participate in the community rating system developed by the National Flood Insurance Program. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and offers the following comments.**

In 2017, the Governor signed legislation that became Act 32 establishing the Hawaii Climate Change Mitigation and Adaptation Commission (Climate Commission). Act 32 also established a Climate Change Mitigation and Adaptation Coordinator (Climate Coordinator) position. The Climate Commission and Climate Coordinator are housed within the Department's Office of Conservation and Coastal Lands.

In fact, at their September 2018 meeting, the Hawaii Climate Change Mitigation and Adaptation Commission (Climate Commission) agreed to five priority recommendations for countering impacts of sea level rise, including encouraging agencies and non-governmental utility providers to identify and prioritize assets within the Sea Level Rise Exposure Area (SLR-XA) as described

in the Hawaii Sea Level Rise Report. A copy of a press release from the Department regarding the Climate Commission's recommendations is attached for your convenience.

Senate Bill 1054, Senate Draft 2 would add a new section to Chapter 226, Hawaii Revised Statute (HRS), requiring the State and counties to incorporate findings of the Hawaii Sea Level Rise Report into their multi-hazard mitigation plans. We note that the Hawaii Emergency Management Agency (HIEMA) recently updated the State's multi-hazard mitigation plan, which included expanded consideration and discussion of climate change and sea level rise risks, and we hope that the counties follow HIEMA's lead on updating their respective County Hazard Mitigation Plans. As far as the proposed specific amendments to Chapter 226, HRS, the Department respectfully defers to HIEMA in regards to how the changes affect HIEMA's program.

The bill proposes adding a new section to Chapter 269, HRS, requiring the Public Utilities Commission (PUC) to consider the findings of the Hawaii Sea Level Rise Report in all of its actions and findings to avoid critical electrical infrastructure projects in areas of higher risk. The Department supports this proposed amendment but defers to the PUC in terms of how this measure affects their programs.

SECTION 4 of the bill would require the State and counties to address sea level rise adaptation strategies in pre-disaster planning and post-disaster recovery, functional plans, county general plans, and community development plans. To support this effort, the University of Hawaii Sea Grant College Program in partnership with the Department and Office of Planning, with funding from the National Oceanic and Atmospheric Administration and Department, are developing "Guidance for Disaster Recovery Preparedness in Hawaii" (report anticipated April 2019) and "Guidance for Addressing Sea Level Rise in Community Planning" (interim report anticipated April 2019, final April 2020) building on the findings and recommendations of the Hawaii Sea Level Rise Report and other studies and plans.

Thank you for the opportunity to comment on this measure.

Enclosure.



DEPARTMENT OF LAND AND NATURAL RESOURCES

DAVID Y. IGE
GOVERNOR

SUZANNE D. CASE
CHAIRPERSON

FOR IMMEDIATE RELEASE

Sept. 5, 2018

STATE CLIMATE COMMISSION ADOPTS RECOMMENDATIONS FOR COUNTERING IMPACTS OF SEA LEVEL RISE

(Honolulu) – The Hawai'i Climate Change Mitigation and Adaptation Commission (Climate Commission) at its regular quarterly meeting yesterday adopted a series of recommendations and finalized a mission statement to help guide Hawai'i's response to the impacts of climate change.

The Climate Commission is led by the DLNR Chair and the Director of the State Office of Planning and includes members from key state and county agencies. The group's mission statement formalized and approved at the meeting is as follows:

"Hawaii's Climate Commission recognizes the urgency of climate threats and the need to act quickly. It promotes ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation in a manner that is Clean, Equitable & Resilient."

The recommended strategies or steps agreed upon by the Climate Commission include:

- Support legislation for disclosure for private property and public offerings located in areas with potential exposure to sea level rise.
- Request all new development, redevelopment and modifications be directed away from beach areas.
- Urge counties to incorporate the 3.2 ft. sea level rise exposure area (SLR-XA) into their general and development plans.
- Encourage agencies and non-governmental utility providers to identify and prioritize assets within the 3.2 ft SLR-XA or more as described in the State's Sea Level Rise report, identify adaptation measures, and to provide a status update on this activity annually to the Climate Commission.
- Support legislation that funds State programs to meet mitigation goals, and to bring resources to assist in planning and implementation for sea level rise and other climate related impacts.

The next quarterly meeting of the Climate Commission is scheduled for Tuesday, Nov. 27, 2018 from 1:00 – 4:00 p.m. at the Board of Land and Natural Resources meeting room, Kalanimoku Building, 1151 Punchbowl Street in Honolulu. All meetings are open to the public.

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RESOURCES

(All video/images courtesy: DLNR)

Hawai'i Climate Change Portal:

<http://climate.hawaii.gov/>

Rising Seas in Hawai'i television special:

<https://vimeo.com/249760017>

HD video-Sea level rise adaptation media clips:

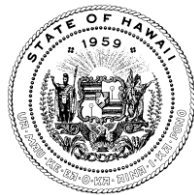
<https://vimeo.com/197533871>

Media Contact:

Dan Dennison

Senior Communications Manager

(808) 587-0396



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Energy and Environmental Protection
and
House Committee on Water, Land, and Hawaiian Affairs
Thursday, March 14, 2019
9:30 a.m.
State Capitol, Conference Room 325**

**On the following measure:
S.B. 1054, S.D. 2, RELATING TO PLANNING**

Chairs Lowen and Yamane and Members of the Committees:

My name is Dean Nishina, and I am the Executive Director of the Department of Commerce and Consumer Affairs' (Department) Division of Consumer Advocacy. The Department supports section 3 of S.D. 2 and takes no position on the other sections of this measure.

The purposes of this bill are to: (1) require the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping; (2) require the Public Utilities Commission (Commission), and any public utility regulated by the Commission, to consider the findings in the Hawaii Sea Level Rise Vulnerability and Adaptation Report; and (3) encourage each county to participate in the community rating system developed by the National Flood Insurance Program. S.D. 2 has a proposed effective date of July 1, 2050.

The Department appreciates how S.D. 2 no longer requires the Commission to consider the findings of the Report “in all [of the Commission’s] actions,” because doing so could establish an overly burdensome task for every Commission action. Instead, section 3 of S.D. 2 requires the Commission to consider the Report’s findings to avoid “critical infrastructure projects in areas of higher risk.” Regulated companies should seek to provide reliable services that do not impose additional risk to customers. Moreover, regulated companies should only install projects that are supportive of affordable, reliable, and resilient services.

The Department also appreciates how section 3 of S.D. 2 now requires any utility company, as opposed to the original version of the bill that would apply only to electric utilities, to consider the risks associated with sea level rise when seeking Commission approval of any infrastructure projects. This will improve the efficiency of the Commission’s review of future infrastructure projects as well as ensure that all regulated companies address this concern.

Thank you for the opportunity to testify on this bill.

Council Chair
Kelly T. King

Vice-Chair
Keani Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Mike Molina
Tamara Paltin
Shane Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 13, 2019

TO: The Honorable Nicole E. Lowen, Chair
House Committee on Energy & Environmental Protection
The Honorable Ryan I. Yamane, Chair
House Committee on Water, Land & Hawaiian Affairs

FROM: Kelly T. King
Council Chair

A handwritten signature in black ink that reads "Kelly King".

SUBJECT: **HEARING OF MARCH 13, 2019; TESTIMONY IN SUPPORT OF SB 1054, S.D. 2, RELATING TO PLANNING**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this bill is to: require the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping; require the Public Utilities Commission, and any public utility regulated by the Public Utility Commission, to consider the findings in the Hawaii Sea Level Rise Vulnerability and Adaptation Report; and encourage each county to participate in the community rating system developed by the National Flood Insurance Program.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. The State of Hawaii, the only state in the United States comprised entirely of islands, is especially vulnerable to impacts of sea level rise, with approximately 750 miles of coastline and extensive development in low-lying areas.
2. The Maui County Council adopted Resolution 18-160 supporting the recommendations in the Hawaii Sea Level Rise Vulnerability and Adaptation Report.
3. The Mayor of the County of Maui issued a Proclamation on February 22, 2018 urging officials at all levels of government to view climate change and the need for climate adaptation as pressing matters, to take a proactive

March 13, 2019

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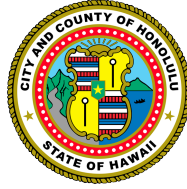
approach in mitigating impacts caused by sea level rise, and to develop programs to protect the County for future generations.

For the foregoing reasons, I **support** this measure.

ocs:proj:legis:19legis:19testimony:sb1054sd2_paf 19-133a_tntf

OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

JOSHUA W. STANBRO
EXECUTIVE DIRECTOR &
CHIEF RESILIENCE OFFICER

MARCH 14, 2019 9:30AM

STATE OF HAWAII
COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
COMMITTEE ON WATER, LAND, & HAWAIIAN AFFAIRS

**TESTIMONY ON SENATE BILL 1054 SD2
A BILL RELATING TO PLANNING**

BY,

JOSHUA STANBRO
EXECUTIVE DIRECTOR AND CHIEF RESILIENCE OFFICER
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chairs Lowen and Yamane, Vice Chairs Wildberger and Todd, and
Committee Members:

The City and County of Honolulu (City) Office of Climate Change, Sustainability and Resiliency (Resilience Office) **supports the intent** of Senate Bill 1054 SD2, which requires (1) the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping; (2) requires the Public Utilities Commission (PUC), and any public utility regulated by the PUC, to consider the findings in the Hawai'i Sea Level Rise Vulnerability and Adaptation Report; and, (3) encourages each county to participate in the community rating system (CRS) developed by the National Flood Insurance Program. Given the scale of the problem and the shared risk to both State and City assets, the City encourages the State to provide any technical and financial support available to aid the incorporation of the required information into City plans, strategies, and mapping, as well as, to support the City's application into the CRS and continued maintenance within the program.

Per City Charter Section 6-107, the Resilience Office is mandated to coordinate actions and policies on behalf of the City to protect coastal areas and beaches and promote resiliency of communities and coastal areas. On July 16, 2018, Mayor Caldwell issued Mayoral Directive 18-2 (Directive). This Directive is informed by the City Climate Change Commission's *Sea Level Rise Guidance* (Guidance) and *Climate Change Brief* (Brief), both adopted June 5, 2018, and the State Climate Change

Chairs Lowen and Yamane
Vice Chairs Wildberger and Todd
SB 1054 SD2
March 14, 2019 9:30AM
Page 2

Mitigation and Adaptation Commission's *Sea Level Rise Vulnerability and Adaptation Report* (Report) and *Data Viewer* (Viewer; January 2018). The Directive, "City and County of Honolulu Actions to Address Climate Change and Sea Level Rise," requires all City departments and agencies to use the Guidance, Brief, Report and Viewer as resources for managing assets, reviewing permitting requests, and assessing project proposals, as well as, in all plans, programs, and capital improvement decisions. The Directive also encourages independent agencies to adopt similar initiatives, where applicable.

Like the 2018 update to the State's Hazard Mitigation Plan, the current in-process update of the City's Multi-Hazard Pre-Disaster Mitigation Plan includes both a stand-alone "Climate Change" chapter and incorporates climate change elements into the other respective hazards chapters.

The City is currently one of the two counties that is not a CRS participant. We are currently investigating participation in the program.

Thank you for the opportunity to testify.



SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION HOUSE COMMITTEE ON WATER AND LAND

March 14 2019 9:30 AM Room 325

In SUPPORT of SB 1054 SD2: RELATING TO PLANNING

Aloha Chair Lowen, Chair Yamane, and members of the committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i supports SB 1054 SD2, which provides the legislative mandate needed to implement recommendations from the "Hawai'i Sea Level Rise Vulnerability and Adaptation Report" (the Report) prepared by the Hawai'i Climate Change Mitigation and Adaptation Commission, especially those recommendations dealing with climate change hazards and mitigation in an era of sea level rise, increased frequency and intensity of storm events, and other climate change impacts.

While much of the focus of the Report is on the Sea Level Rise Vulnerability projections of 3.2 feet expected to occur before the year 2100, *impacts of sea level rise are here already and will accelerate in coming years*. Policy and permitting decisions with long-term effects related to sea level rise are happening now, including approvals of structures with long life spans, siting of utilities and other capital improvements, and other actions with long-range consequences.

This bill will ensure the state and counties incorporate sea level rise predictions and Report recommendations within their multi-hazard mitigation plans and that the PUC utilize the Report within infrastructure planning and investment processes. We commend the authors of SB 1054 for their initiative in providing legislation to implement the Report's recommendations and are appreciative that the legislature has introduced several bills relating to sea level rise this session.

Mahalo for the opportunity to testify on this important issue.

Mahalo,

Jodi Malinoski, Policy Advocate

SB-1054-SD-2

Submitted on: 3/12/2019 8:47:59 PM

Testimony for EEP on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimiko LaHaela Walter	Hawaii Reef and Ocean Coalition (HIROC)	Support	No

Comments:



SB 1054, SD2, RELATING TO CLIMATE CHANGE

MARCH 14, 2019 · HOUSE COMMITTEES ON
ENERGY AND ENVIRONMENTAL PROTECTION AND
WATER, LAND, AND HAWAIIAN AFFAIRS · CHAIRS
REP. NICOLE E. LOWEN AND RYAN I. YAMANE

POSITION: Support.

RATIONALE: IMUAlliance supports SB 1054, SD2, relating to planning, which requires the State and counties to incorporate predictions of sea level rise and other climate change hazards and mitigation opportunities into applicable plans, strategies, and mapping; requires the Public Utilities Commission, and any public utility regulated by the Public Utilities Commission, to consider the findings in the Hawaii Sea Level Rise Vulnerability and Adaptation Report; and encourages each county to participate in the community rating system developed by the National Flood Insurance Program.

According to a report produced by the Hawai'i Climate Change Mitigation and Adaptation Commission, global sea levels could rise more than three feet by 2100, with more recent projections showing this occurring as early as 2060. In turn, over the next 30 to 70 years, approximately 6,500 structures and 19,800 people statewide will be exposed to chronic flooding. Additionally, an estimated \$19 billion in economic loss would result from chronic flooding of land and structures located in exposure areas. Finally, approximately 38 miles of coastal roads and 550 cultural sites would be chronically flooded, on top of the 13 miles of beaches that have already been lost on Kaua'i, O'ahu, and Maui to erosion fronting shoreline armoring, like seawalls.

As we work to reduce carbon emissions and stave off the worst consequences of climate change, we must begin preparing for and mitigating the adverse impact of sea level rise on our shores, **especially by ensuring that state and local government agencies account for sea level rise and climate change projections into public planning.** We are now quantifying the speed at which we must act to rectify our climate change vulnerability. We cannot continue to develop the 25,800-acre statewide sea level rise exposure area—one-third of which is designated for urban use—without risking massive structural damage and, potentially, great loss of life.

SB-1054-SD-2

Submitted on: 3/12/2019 11:11:45 AM

Testimony for EEP on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Philip Fernandez	Individual	Support	No

Comments:

I am a resident of West Hawaii Island. Significant public infrastructure in West Hawaii is vulnerable to Sea Level Rise, including the Kona Airport, the Waste Water Treatment Plant, roads, and electrical substations. The state and counties must plan with sea level rise in it plan as soon as possible. Please SUPPORT SB1054 SD2.

SB-1054-SD-2

Submitted on: 3/12/2019 11:31:22 AM

Testimony for EEP on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Scott	Individual	Support	No

Comments:

SB-1054-SD-2

Submitted on: 3/11/2019 5:47:18 PM

Testimony for EEP on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

SB-1054-SD-2

Submitted on: 3/12/2019 9:42:16 PM

Testimony for EEP on 3/14/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Support	No

Comments:

SB-1054-SD-2

Submitted on: 3/13/2019 5:18:38 PM

Testimony for EEP on 3/14/2019 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Bohlen	Individual	Support	No

Comments: