

JAN 18 2019

A BILL FOR AN ACT

RELATING TO CLIMATE CHANGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the risks posed by
2 climate change to Hawaii were recognized as early as 1984 by
3 Senate Resolution No. 137. This resulted in a 1985 report on
4 the effects on Hawaii of a worldwide rise in sea level induced
5 by the greenhouse effect. This report stated that the debate
6 has shifted from questioning the possibility that the greenhouse
7 effect would occur, to whether the effect will be mild or
8 severe, as well as the timeframe for its imminent occurrence.

9 The legislature further finds that Hawaii's first iteration
10 of a climate change action plan was completed in 1998. The
11 Hawaii climate change action plan did not set specific goals but
12 was intended to be a catalyst for greater involvement in
13 reducing greenhouse gas emissions and adapting to climate
14 change. The major recommendation of this plan was to develop a
15 consensus on Hawaii's goals for greenhouse gas emission
16 reductions.



1 Hawaii's first sustainability plan, published in 2008,
2 warned of global warming and rising sea levels and that
3 stronger, more frequent storms would impact Hawaii. The plan
4 also established many goals and recommendations, including
5 strategic actions to reduce reliance on fossil fuels; conserve
6 water and ensure an adequate water supply; conduct research to
7 strengthen management initiatives to respond to rising sea
8 levels, coastal hazards, erosion, and other natural hazards; and
9 develop a comprehensive environmental mapping and measurement
10 system to evaluate the overall health and status of Hawaii's
11 natural ecosystems. The plan set a target date of 2020 to
12 reduce reliance on fossil fuels, including a goal that twenty
13 per cent of electricity be generated from renewable resources by
14 the end of 2020.

15 In 2009, the multi-stakeholder ocean resources management
16 plan (ORMP) working group, established by the Hawaii coastal
17 zone management program, developed a framework for climate
18 change adaptation in Hawaii as part of the ORMP implementation.
19 Core values for adaptation to climate change were established to
20 provide a safe, healthy, productive, and resilient environment.



1 In 2012, climate change adaptation priority guidelines were
2 added to the Hawaii State Planning Act. These guidelines
3 encouraged the collaboration needed to address climate change by
4 recognizing impacts to multiple sectors including agriculture,
5 conservation lands, coastal and nearshore marine areas, natural
6 and cultural resources, education, energy, higher education,
7 health, historic preservation, water resources, the built
8 environment, and the economy.

9 Act 83, Session Laws of Hawaii 2014 (Act 83), formally
10 established the Hawaii climate adaptation initiative to enable a
11 coordinated approach among all agencies at all levels of
12 government to plan for and address the effects of climate change
13 to protect the State's economy, health, environment, and way of
14 life. Act 83 established a coordinating body of state and
15 county representatives, known as the interagency climate
16 adaptation committee, to carry out this mission. The committee
17 was tasked with developing a report to address the statewide
18 impacts of sea level rise, developing plans and policy
19 recommendations for action, and in coordination with the office
20 of planning, using the report as a model framework for
21 addressing other climate threats and priorities.



1 In 2015, Hawaii became the first state to require a one
2 hundred per cent renewable power supply by the year 2045.
3 Subsequent climate mitigation measures were enacted to encourage
4 energy efficiency, access to renewable energy, and development
5 of clean energy technology.

6 In 2017, Act 32, Session Laws of Hawaii 2017, strengthened
7 the Hawaii climate adaptation initiative and expanded the
8 interagency climate adaptation committee into the Hawaii climate
9 change mitigation and adaptation commission (commission). The
10 commission was assigned various tasks related to climate change
11 mitigation and adaptation, including systematically reducing
12 greenhouse gas emissions and charting a new course to protect
13 the State's economy, health, environment, and way of life.

14 In December of 2017, the commission accepted the Hawaii sea
15 level rise vulnerability and adaptation report, which identifies
16 areas susceptible to sea level rise impacts based on a 3.2 foot
17 increase in sea level by 2100 or even as early as 2060. The
18 report also makes recommendations to state and county agencies
19 based on emerging good practices to strengthen Hawaii's
20 readiness for sea level rise and climate change.



1 Acts 15 and 16, Session Laws of Hawaii 2018, support the
2 greenhouse gas sequestration task force, establish a carbon
3 offset program within the office of planning, and establish a
4 zero emissions clean energy target by 2045 or earlier.

5 While Hawaii has taken significant strides toward carbon
6 neutrality, over the past thirty years the amount of carbon
7 dioxide, the major driver of the greenhouse effect, in the
8 atmosphere has increased by almost twenty per cent from three
9 hundred forty-five parts per million (ppm) to four hundred ten
10 ppm during the same period. This trend is anticipated to
11 continue for several decades. Thus, even if Hawaii achieves
12 carbon neutrality in the next twenty or thirty years, global
13 carbon emissions from developing countries will steadily
14 increase over time, and Hawaii will not escape the severe
15 effects of climate change in the form of rising sea level,
16 increased storminess, and warmer temperatures. It is therefore
17 critical that Hawaii brace for these effects by implementing
18 aggressive climate adaptation measures. Rapid deployment of
19 climate adaption measures will require supporting policies,
20 statutes, and financial resources at all levels of government.



1 The purpose of this Act is to support the Hawaii climate
2 adaptation initiative and provide affected state and county
3 agencies with the necessary resources to implement climate
4 change mitigation and adaptation.

5 SECTION 2. Section 225P-3, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§225P-3 Hawaii climate change mitigation and adaptation**
8 **commission; general functions, duties, and powers.** (a) There
9 is established the Hawaii climate change mitigation and
10 adaptation commission that shall be placed within the department
11 of land and natural resources for administrative purposes only.

12 (b) Coordination of the commission shall be headed jointly
13 by the chairperson of the board of land and natural resources,
14 or the chairperson's designee, and the director of the office of
15 planning, or the director's designee.

16 (c) The commission shall include the following members:

17 (1) The chairs of the standing committees of the
18 legislature with subject matter jurisdiction
19 encompassing environmental protection and land use;



- 1 (2) The chairperson of the board of land and natural
2 resources or the chairperson's designee, who shall be
3 the co-chair of the commission;
- 4 (3) The director of the office of planning or the
5 director's designee, who shall be the co-chair of the
6 commission;
- 7 (4) The director of business, economic development, and
8 tourism or the director's designee;
- 9 (5) The chairperson of the board of directors of the
10 Hawaii tourism authority or the chairperson's
11 designee;
- 12 (6) The chairperson of the board of agriculture or the
13 chairperson's designee;
- 14 (7) The chief executive officer of the office of Hawaiian
15 affairs or the officer's designee;
- 16 (8) The chairperson of the Hawaiian homes commission or
17 the chairperson's designee;
- 18 (9) The director of transportation or the director's
19 designee;
- 20 (10) The director of health or the director's designee;



1 (11) The adjutant general or the adjutant general's
2 designee;

3 (12) The chairperson of the board of education or the
4 chairperson's designee;

5 (13) The directors of each of the county planning
6 departments, or the directors' designees; and

7 (14) The manager of the coastal zone management program.

8 (d) In addition to the members listed in subsection (c),
9 the chairs of the commission may request the participation or
10 input of members of the public; experts in the field; and
11 county, state, or federal officials or others as necessary.

12 (e) The members of the commission shall serve without pay
13 but shall be reimbursed for their actual and necessary expenses,
14 including travel expenses, incurred in carrying out their
15 duties.

16 (f) The commission shall provide policy direction,
17 facilitation, coordination, and planning among state and county
18 agencies, federal agencies, and other partners as appropriate.

19 (g) The commission shall establish climate change
20 mitigation and adaptation strategies and goals to help guide
21 planning and implementation statewide using the latest



1 scientific analysis and risk assessment to monitor and forecast
2 climate change related impacts at the regional, state, and local
3 level, including any additional information deemed necessary.

4 (h) The commission shall identify vulnerable people,
5 communities, industries, ecosystems, and the potential economic
6 ramifications for climate change related impacts.

7 (i) The commission shall identify existing climate change
8 mitigation and adaptation efforts at the federal, state, and
9 local levels and make recommendations for how to meet or exceed
10 Hawaii's state mitigation goals and shall adopt a liberal
11 approach in preparation, so as to minimize future risk to the
12 people and environment of Hawaii.

13 (j) The commission shall assess the capacity and
14 availability of existing resources and identify new sources of
15 revenue necessary to address climate change mitigation and
16 adaptation and shall advise the governor, legislature, and
17 counties on the economic and budgetary ramifications of climate
18 change impacts, mitigation, and adaptation.

19 (k) The commission shall identify the information
20 necessary to track progress in implementing climate change
21 mitigation and adaptation efforts and shall submit an annual



1 report to the governor and legislature no later than twenty days
2 prior to the convening of each regular session of the
3 legislature.

4 (1) The commission shall assist state and county agencies
5 to develop sea level rise adaptation plans in accordance with
6 the sea level rise vulnerability and adaption report and shall
7 provide education and outreach to any community in the State to
8 improve its resiliency to climate change. Under the direction
9 of the commission, the climate change mitigation and adaptation
10 coordinator shall assist state and county agencies to:

11 (1) Conduct an inventory of their existing and future
12 facilities and determine if any are in or near a sea
13 level rise exposure area;

14 (2) Prepare a report that includes a discussion of any
15 vulnerable facilities and their sensitivity to sea
16 level rise impacts;

17 (3) Prepare a budget that includes the cost of adapting to
18 sea level rise by avoiding or minimizing development
19 in a sea level rise exposure area; and

20 (4) Report all findings to the commission.



1 (m) The commission shall assist state and county agencies
2 to implement climate change mitigation efforts in accordance
3 with state policies. Under the direction of the commission, the
4 climate change mitigation and adaptation coordinator shall
5 assist state and county agencies to:

6 (1) Conduct an inventory of their facilities and vehicles
7 and determine energy usage;

8 (2) Prepare a report that includes departmental goals
9 derived from state mitigation goals and actions to be
10 taken within one, three, and five years to achieve
11 these goals;

12 (3) Report all findings to the commission;

13 (4) Supervise necessary and relevant studies to help
14 agencies reduce emissions, including through parking
15 cash outs, clean fleet transitions for state and
16 county car-share programs, development and deployment
17 for electric vehicle infrastructure; and

18 (5) Initiate a public service advertising campaign for a
19 program that will enable behavior change to support
20 clean transportation and climate change issues.



1 ~~[(1)]~~ (n) The commission shall maintain a website that
2 includes a mission statement as well as access to climate change
3 related actions, plans, policies, and results.

4 ~~[(m)]~~ (o) The commission shall conduct a comprehensive
5 review of the implementation as required by this section and
6 submit a report to the governor, legislature, and the counties
7 no later than twenty days prior to the convening of the regular
8 session of 2023 and every five years thereafter.

9 ~~[(n)]~~ (p) The commission shall, as a first step, focus on
10 and develop sea level rise vulnerability and adaptation reports
11 that shall include:

- 12 (1) Identification of the major areas of sea level rise
13 impacts affecting the State and counties through 2050;
- 14 (2) Identification of expected impacts of sea level rise
15 based on the latest scientific research for each area
16 through 2050;
- 17 (3) Identification of the economic ramifications of sea
18 level rise;
- 19 (4) Identification of applicable federal laws, policies,
20 or programs that impact affected areas; and



1 (5) Recommendations for planning, management, and
2 adaptation for hazards associated with increasing sea
3 level rise.

4 The reports shall be made publicly available no later than
5 December 31, 2017, and the commission shall reevaluate and
6 update the sea level rise vulnerability and adaptation report
7 every five years.

8 ~~[(e)]~~ (q) In developing the report, pursuant to subsection
9 ~~[(n)],~~ (p), the commission shall:

- 10 (1) Solicit public views and concerns; and
11 (2) Coordinate with the various county, state, and federal
12 agencies involved in ongoing climate change adaptation
13 planning initiatives."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$1,000,000 or so much
16 thereof as may be necessary for fiscal year 2019-2020 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2020-2021 for the purposes of this Act.

19 The sums appropriated shall be expended by the department
20 of land and natural resources for the purposes of this Act.



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$75,000 or so much
 3 thereof as may be necessary for fiscal year 2019-2020 and the
 4 same sum or so much thereof as may be necessary for fiscal year
 5 2020-2021 to fund one full-time equivalent (1.0 FTE) climate
 6 change mitigation and adaptation coordinator, who shall be
 7 exempt from chapter 76, Hawaii Revised Statutes, to support the
 8 climate change mitigation and adaptation commission.

9 The sums appropriated shall be expended by the department
 10 of land and natural resources for the purposes of this Act.

11 SECTION 5. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

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S.B. NO. 263

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S.B. NO. 263

Report Title:

Hawaii Climate Change Mitigation and Adaptation Commission;
Coordinator Position; Sea Level Rise; Carbon Emission Reduction;
Appropriation

Description:

Requires and appropriates funds for the climate change mitigation and adaptation commission to assist state and county agencies to develop sea level rise adaptation plans and to implement climate change mitigation efforts. Appropriates funds for one full-time equivalent climate change mitigation and adaptation coordinator position.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

