

JAN 22 2021

A BILL FOR AN ACT

RELATING TO CLIMATE CHANGE.

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

1 SECTION 1. Greenhouse gas emissions are a leading cause of
2 global warming and climate change. The legislature has passed
3 numerous measures over the last decade to address climate
4 change. Among them, Act 32, Session Laws of Hawaii 2017,
5 commits the State to systematically reduce greenhouse gas
6 emissions and improve resiliency to climate change in alignment
7 with the principles and goals of the Paris Climate Agreement.

8 The legislature finds that the State has increasing
9 exposure to climate change related risks and events. However,
10 the islands also have environmental resources, including
11 forests, wetlands, coral reefs, and other natural infrastructure
12 that, if healthy, well-managed, and functioning, can help reduce
13 emissions as well as mitigate the risks and related loss and
14 damages from climate change. Accordingly, it is important to
15 invest in nature-based solutions to climate change.



1 The purpose of this Act is to add to the authority of the
2 Hawaii climate change mitigation and adaptation commission by
3 directing it to:

4 (1) Identify and prioritize nature-based solutions to
5 climate change; and

6 (2) Assess opportunities for insurance and other risk
7 transfer mechanisms that incentivize investment in
8 nature-based solutions to climate change.

9 SECTION 2. Section 225P-2, Hawaii Revised Statutes, is
10 amended by adding a new definition to be appropriately inserted
11 and to read as follows:

12 "Nature-based solutions" means actions to protect,
13 sustainably manage, and restore natural or modified ecosystems
14 that contribute to climate change mitigation, adaptation, or
15 risk management, that can be implemented alone or in conjunction
16 with other solutions to climate change, and provide benefits to
17 people and the environment."

18 SECTION 3. Section 225P-3, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§225P-3 Hawaii climate change mitigation and adaptation
21 commission; general functions, duties, and powers. (a) There



1 is established the Hawaii climate change mitigation and
2 adaptation commission that shall be placed within the department
3 of land and natural resources for administrative purposes only.

4 (b) Coordination of the commission shall be headed jointly
5 by the chairperson of the board of land and natural resources,
6 or the chairperson's designee, and the director of the office of
7 planning, or the director's designee.

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

- 9 (1) The chairs of the standing committees of the
10 legislature with subject matter jurisdiction
11 encompassing environmental protection and land use;
- 12 (2) The chairperson of the board of land and natural
13 resources or the chairperson's designee, who shall be
14 the co-chair of the commission;
- 15 (3) The director of the office of planning or the
16 director's designee, who shall be the co-chair of the
17 commission;
- 18 (4) The director of business, economic development, and
19 tourism or the director's designee;



- 1 (5) The chairperson of the board of directors of the
- 2 Hawaii tourism authority or the chairperson's
- 3 designee;
- 4 (6) The chairperson of the board of agriculture or the
- 5 chairperson's designee;
- 6 (7) The chief executive officer of the office of Hawaiian
- 7 affairs or the officer's designee;
- 8 (8) The chairperson of the Hawaiian homes commission or
- 9 the chairperson's designee;
- 10 (9) The director of transportation or the director's
- 11 designee;
- 12 (10) The director of health or the director's designee;
- 13 (11) The adjutant general or the adjutant general's
- 14 designee;
- 15 (12) The chairperson of the board of education or the
- 16 chairperson's designee;
- 17 (13) The directors of each of the county planning
- 18 departments, or the directors' designees; and
- 19 (14) The manager of the coastal zone management program.
- 20 (d) In addition to the members listed in subsection (c),
- 21 the chairs of the commission may request the participation or



1 input of members of the public; experts in the field; and
2 county, state, or federal officials or others as necessary.

3 (e) The members of the commission shall serve without pay
4 but shall be reimbursed for their actual and necessary expenses,
5 including travel expenses, incurred in carrying out their
6 duties.

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

10 (g) The commission shall establish climate change
11 mitigation and adaptation strategies and goals to help guide
12 planning and implementation statewide using the latest
13 scientific analysis and risk assessment to monitor and forecast
14 climate change related impacts at the regional, state, and local
15 level, including any additional information deemed necessary.

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

19 (i) The commission shall [~~identify~~]:



- 1 (1) Identify existing climate change mitigation and
2 adaptation efforts at the federal, state, and local
3 levels [~~and make~~];
- 4 (2) Make recommendations for how to meet or exceed
5 Hawaii's state mitigation goals [~~and shall adopt~~];
- 6 (3) Adopt a liberal approach in preparation, so as to
7 minimize future risk to the people and environment of
8 Hawaii[-]; and
- 9 (4) Prioritize identification of and recommendations for
10 utilizing nature-based solutions in its climate change
11 mitigation and adaptation efforts at the regional,
12 state, and local levels.

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 assess and make recommendations
20 related to insurance, reinsurance, and other risk transfer
21 products or market mechanisms that incentivize public and



1 private investment in nature-based solutions that reduce carbon
2 emissions, lessen exposure, or reduce climate risks to human
3 safety and well-being, property, utilities, infrastructure, and
4 the environment. Pursuant to subsection (d), the commission may
5 seek the advice and assistance of the insurance division of the
6 department of commerce and consumer affairs and other
7 appropriate experts in carrying out this activity.

8 ~~[(k)]~~ (l) The commission shall identify the information
9 necessary to track progress in implementing climate change
10 mitigation and adaptation efforts and shall submit an annual
11 report to the governor and legislature no later than twenty days
12 prior to the convening of each regular session of the
13 legislature.

14 ~~[(l)]~~ (m) The commission shall maintain a website that
15 includes a mission statement as well as access to climate change
16 related actions, plans, policies, and results.

17 ~~[(m)]~~ (n) The commission shall conduct a comprehensive
18 review of the implementation as required by this section and
19 submit a report to the governor, legislature, and the counties
20 no later than twenty days prior to the convening of the regular
21 session of 2023 and every five years thereafter.



1 ~~[(n)]~~ (o) The commission shall, as a first step, focus on
2 and develop sea level rise vulnerability and adaptation reports
3 that shall include:

4 (1) Identification of the major areas of sea level rise
5 impacts affecting the State and counties through 2050;

6 (2) Identification of expected impacts of sea level rise
7 based on the latest scientific research for each area
8 through 2050;

9 (3) Identification of the economic ramifications of sea
10 level rise;

11 (4) Identification of applicable federal laws, policies,
12 or programs that impact affected areas; and

13 (5) Recommendations for planning, management, and
14 adaptation for hazards associated with increasing sea
15 level rise.

16 The reports shall be made publicly available no later than
17 December 31, 2017, and the commission shall reevaluate and
18 update the sea level rise vulnerability and adaptation report
19 every five years.

20 ~~[(e)]~~ (p) In developing the report, pursuant to subsection
21 ~~[(n)]~~ (o), the commission shall:



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

5 SECTION 4. There is appropriated out of the general
 6 revenues of the State of Hawaii the sum of \$ or so much
 7 thereof as may be necessary for fiscal year 2021-2022 and the
 8 same sum or so much thereof as may be necessary for fiscal year
 9 2022-2023 for the Hawaii climate change mitigation and
 10 adaptation commission to identify and prioritize nature-based
 11 solutions for climate change and identify insurance and risk
 12 transfer mechanisms to incentivize investment in these
 13 solutions.

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

16 SECTION 5. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2021.

19

INTRODUCED BY: *Gil Rivera*



S.B. NO. 585

Report Title:

Hawaii Climate Change Mitigation and Adaptation Initiative;
Nature-based Solutions to Climate Change; Appropriation

Description:

Requires the Hawaii climate change mitigation and adaptation commission to prioritize nature-based solutions in its climate change mitigation and adaptation efforts and assess risk transfer market mechanisms that promote investments in nature to reduce the risks of climate change. Defines "nature-based solutions". Appropriates moneys.

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