

JAN 22 2021

---

---

# A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

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

1           SECTION 1. The legislature finds that the human-induced  
2 global climate crisis requires thoughtful but bold responses on  
3 many fronts to make Hawaii communities resilient to the impacts  
4 of climate change that threaten the very survivability of these  
5 fragile islands. Lest Hawaii lose its leadership position in  
6 meeting the future of labor, justice, and equity, the  
7 legislature embraces aloha aina as a green new deal to  
8 decarbonize Hawaii's systems of food, energy, and  
9 transportation, and to sequester carbon through systems of  
10 agriculture, waste management, and ecosystem restoration. This  
11 solid foundation finds synergies with expanded access to health,  
12 housing, and education, multiplying good jobs and ensuring  
13 justice and equity for Hawaii's citizens. This measure  
14 represents a forward step in mitigating and adapting Hawaii to  
15 inevitable climate change.

16           The legislature further finds that the climate crisis is an  
17 existential threat and that greenhouse gas emissions from the



1 burning of fossil fuels is the key contributor. It poses a  
2 serious threat to our economy, public health, and environment.  
3 The State has committed to the elimination of fossil fuels from  
4 our energy sector and has committed to abiding by the Paris  
5 Climate Agreement's goal of limiting global warming to less than  
6 1.5 degrees celsius above pre-industrial levels.

7 Trees serve as a natural way of removing carbon from the  
8 atmosphere. No other approach is as effective for carbon  
9 sequestration. An environmental assessment should be required  
10 for the large-scale clear-cutting of trees and other perennial  
11 plants to produce electricity.

12 The purpose of this Act is to update definitions for  
13 purposes of environmental impact statements.

14 SECTION 2. Section 343-2, Hawaii Revised Statutes, is  
15 amended as follows:

16 1. By adding two new definitions to be appropriately  
17 inserted and to read:

18 "Biomass" means organic material which is not a fossil  
19 fuel.

20 "Fossil fuel" means long-dead organic material that no  
21 longer can be dated because it lacks isotopic markers."



1           2. By amending the definition of "power-generating  
2 facility" to read:

3            "Power-generating facility" means:

4           (1) A new, fossil-fueled, electricity-generating facility,  
5                 where the electrical output rating of the new  
6                 equipment exceeds 5.0 megawatts; [ø]

7           (2) An expansion in generating capacity of an existing,  
8                 fossil-fueled, electricity-generating facility, where  
9                 the incremental electrical output rating of the new  
10                equipment exceeds 5.0 megawatts[-]; or

11           (3) A biomass generator that exceeds 5.0 megawatts and is  
12               powered by perennial plants."

13           3. By repealing the definition of "renewable energy  
14 facility".

15           [~~"Renewable energy facility". DELETED.~~]

16           SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18           SECTION 4. This Act shall take effect on July 1, 2021.

19

INTRODUCED BY:  \_\_\_\_\_



# S.B. NO. 889

**Report Title:**

Biomass; Fossil Fuel; Environmental Impact Statements

**Description:**

Adds definitions of "biomass" and "fossil fuels", and amends the definition of "power generating facility" for purposes of environmental impact statements.

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

