

OFFICE OF PLANNING STATE OF HAWAII

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DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
SENATE COMMITTEE ON WAYS AND MEANS
Friday, February 23, 2018
10:00 AM
State Capitol, Conference Room 211

in consideration of
SB 3068, SD1
RELATING TO CLIMATE CHANGE.

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means.

The Office of Planning (OP) respectfully offers comments on SB3068, SD1 which implements the recommendations of the Hawaii Sea Level Rise Vulnerability and Adaptation Report (SLR Report) issued by the Hawaii Climate Change Mitigation and Adaptation Commission (Climate Commission) and makes appropriations. SB3068, SD1 seeks to implement changes suggested by the SLR Report and Climate Commission across multiple agencies and statutory frameworks.

OP commends SB3068, SD1 for recognizing the magnitude of the problem that is sea level rise for the State of Hawaii, the immediate need to address the issue and the many different State agencies and departments needed to tackle the various concerns surrounding it.

With a focus towards proper implementation of the bill's provisions related to OP, we recommend the following items be addressed:

- 1) OP notes that its statutory purpose and powers set forth in Hawaii Revised Statutes § 225M-2 would require broadening to provide the office with the authority to implement the additional duties proposed under Part IV (page 14, line 19 to page 22, line 8) of SB3068, SD1.
- 2) OP would require significant additional resources to address the tasks assigned under Part IV of SB3068, SD1. The initiatives under Part IV require

specific expertise that OP does not currently have in areas of financing, economics, appraisal, acquisition, and taxation.

OP estimates that approximately \$1,600,000.00 would be needed to procure consultant services to effectuate the tasks outlined in Part IV of SB3068, SD1, provided that such appropriation does not replace or adversely impact priorities indicated in the Executive Budget.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
Governor

DOUGLAS CHIN
Acting Lieutenant Governor

LUIS P. SALAVERIA
Director

MARY ALICE EVANS
Deputy Director



LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai`i

DANIEL ORODENKER
Executive Officer

Bert K. Saruwatari
Planner
SCOTT A.K. DERRICKSON AICP
Planner

RILEY K. HAKODA
Chief Clerk/Planner

FRED A. TALON
Drafting Technician

Statement of
Daniel E. Orodenker
Executive Officer
Land Use Commission
Before the
Senate Committee on Ways and Means
Friday February 23, 2018
10:00 AM
State Capitol, Conference Room 211

In consideration of
SB 3068 SD1
RELATING TO CLIMATE CHANGE

Chair Dela Cruz; Vice Chair Keith-Agaran; and members of the Committee on Ways and Means:

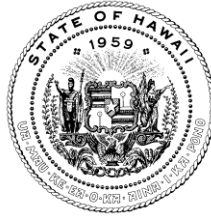
The Land Use Commission supports the intent of SB 3068 SD1 in that it seeks to implement provisions of the Hawai`i Sea Level Vulnerability and Adaptation Report.

However, we are concerned that the provisions in Part V Sections 11 and 12 with respect to the Land Use Commission ("LUC") are not consistent with our statutory framework.

The LUC is currently in the process of amending its administrative rules and will be considering changes to require applicants to address climate change and sea level rise in applications coming before the LUC.

Thank you for the opportunity to testify on this matter.

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

JEFFREY T. PEARSON, P.E.
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 Senate Committee on
WAYS AND MEANS**

**Friday, February 23, 2018
10:00 AM
State Capitol, Conference Room 211**

**In consideration of
SEANTE BILL 3068 SENATE DRAFT 1
RELATING TO CLIMATE CHANGE**

Senate Bill 3068, Senate Draft 1 (SB 3068 SD1) proposes to require all state and county agencies to implement the recommendations of the recently completed Hawaii Sea Level Rise Vulnerability and Adaptation Report. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure, and offers the following comments.**

SB-3068, SD1 takes recommendations from the Sea Level Rise Report and incorporates them into state laws. SB-3068, SD1 appears to assign responsibility of overseeing these functions within the Office of the Governor through Chapter 27, Hawaii Revised Statutes. The measure then amends several State statutes to task various state and county agencies with specific planning and/or regulatory responsibilities intended to implement sea level rise adaption measures across the state.

While SB-3068, SD1 is an admirable attempt to “actualize” the findings and recommendations of the Sea Level Rise Vulnerability and Adaptation Report, the Department did not envision the report being deployed this rapidly through translation into broad policy directives and specific regulatory or land management functions.

Alternatively, the Department is moving forward with the Hawaii Climate Change Mitigation and Adaptation Commission that was established through Act 32, Session Laws of Hawaii (SLH), 2017 (Climate Commission). The Climate Commission accepted the Sea Level Rise Report in December 2017. The Climate Commission is actively pursuing a strategy to grapple with climate adaption challenges, and specifically with sea level rise. The Department will work

with the Office of Planning and other state and county agencies, the business community, and the public on efforts that must be undertaken to improve our resiliency in the face of sea level rise. We anticipate working with the various county and state sustainability offices and coordinators to develop an agenda composed of legislative and non-legislative (regulatory and non-regulatory) measures (with the endorsement of the Climate Commission) going into the 2019 Legislative Session.

The Department also note that there are several climate change measures circulating this legislative session which duplicate some of the provisions in SB-3068, SD1, including HB-2106, SD2 (adopt rules at OEQC rules to incorporate sea level rise exposure into environmental review process), SB-2468, SD2 (acquire lands to allow for long-term beach preservation), SB-694, SD1 (disclosure of sea level rise exposure in real estate transactions), SB-2965 (including nature based solutions in climate mitigation and adaptation), and HB-2653, HD1 (relating to special shoreline encroachment easements).

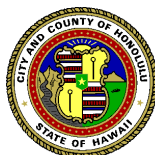
While the Department appreciates the Legislature's quick actions to implement the Sea Level Rise Report, the Department would like an opportunity to better coordinate recommendations contained with the Sea Level Rise Report, with other state and county agencies, and then report back to the Legislature next session with targeted recommendations.

Thank you for the opportunity to comment on this measure.

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

FRIDAY, FEBRUARY 23, 2018 10:00AM

STATE OF HAWAII
SENATE COMMITTEE ON WAYS AND MEANS

**TESTIMONY ON SENATE BILL 3068 SD 1
A BILL RELATING TO CLIMATE CHANGE**

BY,

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

Dear Chair Dela Cruz and Committee Members:

The City and County of Honolulu (City) Office of Climate Change, Sustainability and Resiliency (CCSR) **supports the intent** of Senate Bill (SB) 3068 SD1, which strives to implement the recommendations of the 2017 Hawaii Sea Level Rise Vulnerability and Adaptation Report (SLR Report).

With respect to those parts of SB 3068 that touch upon or direct processes at the county level, the City has already begun to include sea level rise and other climate change considerations into its long range policy plans and hazard mitigation planning. We have also been requesting that climate change impacts be defined for major land use proposals. The City also established via City Charter our permanent office which has quickly built capacity to coordinate policies and departmental action to plan for and address climate change impacts including sea level rise. The existing frameworks for environmental review and planning and permitting facilitate the ability to consider climate change and sea level rise impacts and implement various recommendations of the 2017 SLR Report, and CCSR's City Charter mandate requires such integrated City actions and policies.

While we support the concept of proactive actions such as comprehensive regional market assessments, identification of priority redevelopment areas, and participation in the community rating system called for in this bill, we are concerned that this bill mandates City actions and reporting without funding to carry them out. These are not one-time costs, but reflect an ongoing commitment. These activities are not

Chair Dela Cruz and Committee Members
February 23, 2018
Page 2

currently in the City's budget and we request that SB 3068 include permanent funding to assist the City and other counties in this work.

Thank you for the opportunity to testify.

SB-3068-SD-1

Submitted on: 2/22/2018 1:30:47 AM

Testimony for WAM on 2/23/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES

DEMOCRATIC PARTY OF HAWAI'I

THE COMMITTEE ON WAYS AND MEANS

THE SENATE

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Friday, February 23, 2018

10:00 AM

Hawaii State Capitol, Conference Room 211

RE: Testimony in Support of SB3068 SD1 RELATING TO CLIMATE CHANGE.

To the Honorable Donovan M. Dela Cruz, Chair; the Honorable Gilbert S.C. Keith-Agaran, Vice-Chair, and Members of the Committee on Ways and Means:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on Senate Bill No 3068 SD1 relating to State and Counties working toward Climate Change and Sea Level Rise Mitigation.

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 3068 SD1 and supports its passage as climate change poses immediate and long-term

threats to the State's economy, sustainability, security, and way of life as areas susceptible to sea level rise show impacts based on a 3.2-foot increase in sea level which is projected to occur by mid-century or earlier.

Senate Bill No.3068 SD1 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it implements the recommendations of the Hawaii Sea Level Rise Vulnerability and Adaptation Report issued by the Hawaii Climate Change Mitigation and Adaptation Commission.

The Platform of the Democratic Party of Hawaii indicates that "[w]e know that climate change is a real threat to our islands and the world. We strongly urge our candidates and elected officials to take immediate action to mitigate and adapt to the consequences of climate change. This includes funding adaptation measures including coastal retreat, effective participation of indigenous peoples in climate change governance, and recognition that indigenous, local, and traditional ecological knowledge is key in climate change adaptation solutions." (Platform of the DPH, P. 8, 435-439 (2016)).

An excerpt from the 70 Page Senate Bill No.3068 SD1 provides as follows: The Hawaii Sea Level Rise Vulnerability and Adaptation Report makes the following recommendations for planning, management, and adaptation for hazards associated with the increasing sea level rise: Responsibilities. (a) Each department and agency of the State shall:

(1) Review its existing policies, regulatory processes, and administrative rules to assess whether the department or agency's regulatory framework supports the smart redevelopment of urban areas as part of sea level rise adaptation planning; provided that the first review shall be completed no later than July 1, 2019, and subsequent reviews shall be conducted at least once every five years;

(2) Update capital improvement planning to: (A) Incorporate sea level rise projections; and (B) Prioritize infrastructure improvements for urban areas identified as priority redevelopment areas by the committee on sea level rise and managed retreat established pursuant to section 225M-A(d);

(3) Adopt a review and approval process to ensure that new developments and capital improvement projects with an expected lifespan of thirty years or more incorporate sea level rise in the development or project's design and siting. The State shall require: (A) New developments and capital improvement programs to include an indepth analysis of sea level rise impacts based on elevation, tolerance for risk, and lifetime of the structure; and (B) Redevelopments within existing footprints to be dependent on established, resilient building design guidelines, or otherwise be subject to relocation to a more suitable area;

(4) Develop design standards for existing and proposed land uses that limit urban growth and increase flood resiliency within sea level rise exposure areas;

(5) Develop guidance for developers to assist with the integration of sea level rise in project design and encourage the use of best management practices for incorporating green and sustainable approaches in all stages of project development;

(6) If applicable, consider adopting rules or policies that encourage property owners at risk to coastal flooding to purchase flood insurance;

(7) Incorporate projected sea level rise into hazard mitigation plans;

(8) Adopt a statewide program that supports county participation in the building code effectiveness grading schedule program, administered by the International Organization for Standardization;

(9) Develop a pre-disaster recovery framework that incorporates opportunities to adapt to sea level rise through disaster recovery;

(10) Prioritize the preservation of coral reefs when taking actions that may affect the health of the coral reefs of the State; and

(11) Conduct an in-depth assessment of critical infrastructure that is at risk due to climate change and sea level rise, including critical infrastructure within sea level rise exposure areas.

The assessment shall examine the vulnerability and evaluation of adaptation strategies for the infrastructure. The assessment shall consider the current condition of the infrastructure and the remaining years of useful life. The State shall use the data to prioritize investment to protect, retrofit, or relocate the infrastructure. The first assessment shall be completed no later than July 1, 2018, and subsequent assessments shall be conducted at least once every five years.

Given that Senate Bill No. 3068 SD1 implements the recommendations of the Hawaii Sea Level Rise Vulnerability and Adaptation Report issued by the Hawaii Climate Change Mitigation and Adaptation Commission, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889

SB-3068-SD-1

Submitted on: 2/17/2018 12:57:55 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

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

Comments:

SB-3068-SD-1

Submitted on: 2/20/2018 1:09:21 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Radha Ku'ulani Martin	Individual	Support	No

Comments:

SB-3068-SD-1

Submitted on: 2/21/2018 3:49:21 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments: