



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 4, 2018

GOV. MSG. NO. 1115

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 4, 2018, the following bill was signed into law:

HB2182 HD2 SD2 CD1

RELATING TO ENVIRONMENTAL PROTECTION
ACT 015

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor
on JUN 04 2018

ORIGINAL

ACT 015

HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

H.B. NO. 2182
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that, according to the
2 Hawaii Sea Level Rise Vulnerability and Adaptation Report
3 released in December 2017, Hawaii could suffer \$19,000,000,000
4 in damage due to projected sea level rise. Worldwide, natural
5 disasters are becoming more severe and frequent. In the United
6 States alone, natural disasters inflicted a record
7 \$306,000,000,000 worth of damage, breaking the previous record
8 by almost \$100,000,000. Rising global temperatures threaten
9 biodiversity in every ecosystem, and habitat loss grows as
10 higher temperatures permanently change the life cycles of plants
11 and animals.

12 The legislature further finds that Hawaii is committed to
13 mitigating climate change, including its commitment to have a
14 one hundred per cent renewable energy portfolio by 2045. Mayors
15 from each county of the State have pledged to end the State's
16 dependence on fossil fuels by eliminating fossil fuels from
17 ground transportation by 2045. By legally binding itself to
18 these benchmarks, Hawaii became the first state in the nation to



1 send a clear message to the world that our citizens are
2 determined to secure their energy future and climate health.
3 The legislature notes that Hawaii, as part of the United States
4 Climate Alliance, joined leaders from every other country on
5 earth and committed to upholding the objectives of the 2015
6 Paris Agreement.

7 In Act 32, Session Laws of Hawaii 2017, the legislature
8 recognized that climate change is real and poses a serious
9 threat to the State's economy, sustainability, and natural
10 resources. In Act 32, the State committed to expanding
11 strategies and mechanisms to reduce greenhouse gas emissions
12 statewide, striving to formulate and communicate long-term low
13 greenhouse gas emission development strategies, and taking
14 actions to conserve and enhance long-term sinks and reservoirs
15 of greenhouse gases, by prioritizing the development of parks,
16 greenways, and restoration of native upland and coastal forests
17 and wetlands.

18 Greenhouse gas sequestration presents ample opportunities
19 for foreign investment in the State's economy. Airlines have
20 demonstrated a desire to invest globally-required carbon offset
21 dollars in Hawaii's environmental projects, as well in as other



1 carbon markets such as California. Companies, governments, and
2 other individuals would also like to offset their carbon
3 footprint by investing in environmental projects such as
4 renewable energies. This interest presents tremendous
5 opportunities for local businesses, agriculture, and communities
6 in general. In Act 33, Session Laws of Hawaii 2017, the State
7 established the carbon farming task force to gain a more
8 thorough understanding of how agricultural land management
9 practices can sequester carbon, provide greenhouse gas benefits,
10 and decrease marine sedimentation. The legislature finds that a
11 parallel effort is needed to examine ways to add green canopy to
12 urban areas to curb rising temperatures that have hospitalized
13 and killed residents of this State.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Repeal Act 33, Session Laws of Hawaii 2017 (Act 33),
16 and create a new task force named as the greenhouse
17 gas sequestration task force which has similar aims as
18 the carbon farming task force created by Act 33, but
19 expands and makes it permanent;
- 20 (2) Align the State's clean energy and carbon
21 sequestration efforts with climate initiative goals,



1 and require that a member of the greenhouse gas
2 sequestration task force also be a member of the
3 climate change mitigation and adaptation commission;
4 and

5 (3) Expand the mission of the greenhouse gas sequestration
6 task force by requiring that the task force examine
7 opportunities to exploit carbon sequestering trees and
8 vegetation to reduce urban temperatures and thereby
9 protect public health.

10 SECTION 2. Chapter 225P, Hawaii Revised Statutes, is
11 amended by adding two new sections to be appropriately
12 designated and to read as follows:

13 "§225P-A Greenhouse gas sequestration task force. (a)

14 The greenhouse gas sequestration task force is established
15 within the office of planning for administrative purposes only.

16 The task force shall have the following objectives:

17 (1) Work with public and private stakeholders to establish
18 a baseline for greenhouse gas emissions within Hawaii
19 and short- and long-term benchmarks for increasing
20 greenhouse gas sequestration in the State's
21 agricultural and natural environment;



- 1 (2) Identify appropriate criteria to measure baseline
2 levels and increases in greenhouse gas sequestration,
3 improvements in soil health, increases in agricultural
4 and aquacultural product yield and quality
5 attributable to greenhouse gas sequestration and
6 improvements in soil health, and other key indicators
7 of greenhouse gas benefits from beneficial
8 agricultural and aquacultural practices that may be
9 used to create a certification program for promoting
10 agricultural and aquacultural practices that generate
11 greenhouse gas benefits and agricultural and
12 aquacultural production benefits;
- 13 (3) Identify land and marine use policies, agricultural
14 policies, agroforestry policies, and mitigation
15 options that would encourage agricultural and
16 aquacultural practices and land use practices that
17 would promote increased greenhouse gas sequestration,
18 build healthy soils, and provide greenhouse gas
19 benefits;
- 20 (4) Identify ways to increase the generation and use of
21 compost in Hawaii to build healthy soils;



- 1 (5) Identify practices and policies that add trees or
2 vegetation to expand the urban tree canopy in urban
3 areas to reduce ambient temperatures, increase climate
4 resiliency, and improve greenhouse gas sequestration
5 in Hawaii; and
- 6 (6) Make recommendations to the legislature and governor
7 regarding measures that would increase climate
8 resiliency, build healthy soils, provide greenhouse
9 gas benefits, or cool urban areas.
- 10 (b) In addition to the objectives listed in subsection
11 (a), the task force may consider:
- 12 (1) Developing incentives and funding mechanisms for these
13 incentives, including but not limited to:
- 14 (A) Loans, tax credits, or grants;
15 (B) Research;
16 (C) Technical assistance; or
17 (D) Educational materials and outreach,
18 to participating agricultural activities, aquacultural
19 activities, or on-farm demonstration projects that are
20 identified and approved by the task force as those
21 that would promote greenhouse gas benefits, build



- 1 healthy soils, sequester carbon, increase water-
2 holding capacity, and increase crop yields; and
3 (2) Providing for research, education, and technical
4 support for agricultural activities and aquacultural
5 activities identified by the task force.
6 (c) The membership of the greenhouse gas sequestration
7 task force shall be as follows:
8 (1) The director of the office of planning or the
9 director's designee, who shall serve as chairperson;
10 (2) The chairperson of the board of agriculture or the
11 chairperson's designee;
12 (3) The chairperson of the board of land and natural
13 resources or the chairperson's designee;
14 (4) The director of transportation or the director's
15 designee;
16 (5) The deputy director of the department of health's
17 environmental health administration or the deputy
18 director's designee;
19 (6) The director of the office of environmental quality
20 control or the director's designee;



- 1 (7) The director of the environmental law program at the
2 University of Hawaii at Manoa William S. Richardson
3 school of law;
- 4 (8) The administrator of the division of forestry and
5 wildlife within the department of land and natural
6 resources or the administrator's designee;
- 7 (9) One member who is also a member of the climate change
8 mitigation and adaptation commission;
- 9 (10) One researcher from the college of tropical
10 agriculture and human resources at the University of
11 Hawaii at Manoa;
- 12 (11) One extension agent from the college of tropical
13 agriculture and human resources at the University of
14 Hawaii at Manoa;
- 15 (12) Four members, one each to be appointed by the
16 respective mayors of the city and county of Honolulu,
17 and the counties of Hawaii, Kauai, and Maui; and
- 18 (13) Four members to be jointly selected and invited to
19 participate by the president of the senate and the
20 speaker of the house of representatives, of which two
21 members shall be selected from an environmental



1 nonprofit organization, and two members shall be
2 selected from an agricultural or ranching association.

3 Task force members may recommend to the task force
4 additional members with appropriate specialized expertise,
5 subject to approval by the chairperson.

6 (d) Members of the task force shall be nominated and
7 appointed pursuant to, and subject to section 26-34 and shall
8 serve without compensation, but shall be reimbursed for
9 reasonable expenses necessary for the performance of their
10 duties, including travel expenses.

11 (e) The greenhouse gas sequestration task force shall:

12 (1) Submit a preliminary report of its findings and
13 recommendations, including any proposed legislation,
14 to the legislature and the climate change mitigation
15 and adaptation commission no later than twenty days
16 prior to the convening of the regular session of 2023;
17 provided that the preliminary report shall discuss the
18 objectives and issues listed in subsections (a) and
19 (b), including the following:

20 (A) Types of agricultural and aquacultural practices,
21 public land and marine use policies, and on-farm



1 managing practices that would provide greenhouse
2 gas benefits and result in tangible economic
3 benefits to agricultural and aquacultural
4 operations;
5 (B) Short-term and long-term benchmarks that would
6 indicate how effectively agricultural and
7 aquacultural activities have been helping the
8 State to reach greenhouse gas neutrality;
9 (C) Appropriate criteria that may be used in a
10 certification program to measure baseline levels
11 and increases in carbon sequestration,
12 improvements in soil health, and other key
13 indicators of greenhouse gas benefits from
14 beneficial agricultural and aquacultural
15 practices;
16 (D) Types of incentives, grants, research, and
17 assistance that would promote:
18 (i) Agricultural and aquacultural practices to
19 produce greenhouse gas benefits; and
20 (ii) Land and marine use policies and
21 agricultural policies that would encourage



1 agricultural, aquacultural, and land use
2 practices to provide greenhouse gas benefits
3 and result in tangible economic benefits to
4 agricultural and aquacultural operations;
5 and

6 (E) Practices and policies that add trees or
7 vegetation to expand the urban tree canopy in
8 urban areas to reduce ambient temperatures and
9 increase climate resiliency and improve
10 greenhouse gas sequestration in Hawaii; and

11 (2) Beginning with the regular session of 2024, submit an
12 annual report of its findings and recommendations,
13 including any proposed legislation, to the legislature
14 and the climate change mitigation and adaptation
15 commission no later than twenty days prior to the
16 convening of each regular session.

17 (f) The office of planning shall provide administrative
18 and clerical support required by the task force.

19 **§225P-B Zero emissions clean economy target.** (a)

20 Considering both atmospheric carbon and greenhouse gas emissions
21 as well as offsets from the local sequestration of atmospheric



1 carbon and greenhouse gases through long-term sinks and
2 reservoirs, a statewide target is hereby established to
3 sequester more atmospheric carbon and greenhouse gases than
4 emitted within the State as quickly as practicable, but no later
5 than 2045.

6 (b) The Hawaii climate change mitigation and adaptation
7 commission shall endeavor to achieve the goals of this section.
8 After January 1, 2020, agency plans, decisions, and strategies
9 shall give consideration to the impact of those plans,
10 decisions, and strategies on the State's ability to achieve the
11 goals in this section, weighed appropriately against their
12 primary purpose."

13 SECTION 3. Section 225P-1, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§225P-1[+] **Purpose.** The purpose of this chapter is to
16 address the effects of climate change to protect the State's
17 economy, environment, health, and way of life. This chapter
18 establishes the framework for the State to:

19 (1) Adapt to the inevitable impacts of global warming and
20 climate change, including rising sea levels,
21 temperatures, and other risk factors; and



1 (2) Mitigate its greenhouse gas emissions by sequestering
2 more atmospheric carbon and greenhouse gases than the
3 State produces as quickly as practicable, but no later
4 than 2045."

5 SECTION 4. Act 32, Session Laws of Hawaii 2017, is amended
6 as follows:

7 1. By amending section 2 to read:

8 "SECTION 2. (a) The State shall expand strategies and
9 mechanisms to reduce [~~the~~] greenhouse gas emissions [~~statewide~~]
10 through the reduction of energy use, adoption of renewable
11 energy, and control of air pollution among all agencies,
12 departments, industries, and sectors, including transportation.
13 Such strategies and mechanisms shall utilize the best available
14 science, technologies, and policies to reduce greenhouse gas
15 emissions and shall be closely aligned with the climate change
16 principles and goals adopted in the Paris Agreement and Hawaii's
17 share of obligations within the expectations apportioned to the
18 United States in the Paris Agreement, regardless of federal
19 action.

20 (b) The State shall strive to formulate and communicate
21 long-term low greenhouse gas emission development strategies and



1 shall take actions to conserve and enhance long-term sinks and
2 reservoirs of greenhouse gases, by prioritizing the development
3 of parks, greenways, and restoration of native upland and
4 coastal forests and wetlands."

5 2. By amending section 6 to read:

6 "~~SECTION 6. Chapter 225P, Hawaii Revised Statutes, is~~
7 ~~repealed.] Repealed."~~

8 3. By amending section 10 to read:

9 "SECTION 10. This Act shall take effect on July 1, 2017[+
10 ~~provided that section 6 shall take effect on July 1, 2022]."~~

11 SECTION 5. Act 33, Session Laws of Hawaii 2017, is
12 repealed.

13 SECTION 6. The office of planning shall submit a status
14 update report of its progress and recommendations, including any
15 proposed legislation, regarding the greenhouse gas sequestration
16 task force to the legislature no later than twenty days prior to
17 the convening of the regular session of 2021.

18 SECTION 7. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$150,000 or so much
20 thereof as may be necessary for fiscal year 2018-2019 for the



1 purpose of funding the greenhouse gas sequestration task force
2 and its related efforts.

3 The sum appropriated shall be expended by the office of
4 planning for the purposes of this Act.

5 SECTION 8. In codifying the new sections added by section
6 2 of this Act, the revisor of statutes shall substitute
7 appropriate section numbers for the letters used in designating
8 the new sections in this Act.

9 SECTION 9. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 10. This Act shall take effect on July 1, 2018.

APPROVED this 04 day of JUN, 2018



GOVERNOR OF THE STATE OF HAWAII



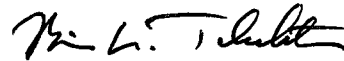
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



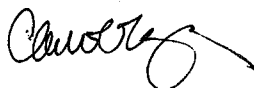
Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai‘i, Regular Session of 2018.


President of the Senate


Clerk of the Senate