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# 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



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

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

19 Greenhouse gas sequestration presents ample opportunities  
20 for foreign investment in the State's economy. Airlines have  
21 demonstrated a desire to invest globally-required carbon offset



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

15 Accordingly, the purpose of this Act is to:

- 16 (1) Make permanent the carbon farming task force  
17 established by Act 33, Session Laws of Hawaii 2017,  
18 and rename the task force the greenhouse gas  
19 sequestration task force;
- 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 a new section to be appropriately designated  
 12 and to read as follows:

13 "§225P- 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, and other key indicators  
4        of greenhouse gas benefits from beneficial  
5        agricultural and aquacultural practices that may be  
6        used to create a certification program for promoting  
7        agricultural and aquacultural practices that generate  
8        greenhouse gas benefits;
- 9        (3) Identify land and marine use policies, agricultural  
10       policies, agroforestry policies, and mitigation  
11       options that would encourage agricultural and  
12       aquacultural practices and land use practices that  
13       would promote increased greenhouse gas sequestration,  
14       build healthy soils, and provide greenhouse gas  
15       benefits;
- 16       (4) Identify ways to increase the generation and use of  
17       compost in Hawaii to build healthy soils;
- 18       (5) Identify practices and policies that add trees or  
19       vegetation to expand the urban tree canopy in urban  
20       areas to reduce ambient temperatures, increase climate



1           resiliency, and improve greenhouse gas sequestration  
2           in Hawaii; and

3           (6) Make recommendations to the legislature and governor  
4           regarding measures that would increase climate  
5           resiliency, build healthy soils, provide greenhouse  
6           gas benefits, or cool urban areas.

7           (b) In addition to the objectives listed in subsection  
8           (a), the task force may consider:

9           (1) Developing incentives and funding mechanisms for these  
10           incentives, including but not limited to:

11           (A) Loans, tax credits, or grants;

12           (B) Research;

13           (C) Technical assistance; or

14           (D) Educational materials and outreach,

15           to participating agricultural activities,

16           aquacultural activities, or on-farm demonstration

17           projects that are identified and approved by the

18           task force as those that would promote greenhouse

19           gas benefits, build healthy soils, sequester

20           carbon, increase water-holding capacity, and

21           increase crop yields; and



1        (2) Providing for research, education, and technical  
2                    support for agricultural activities and aquacultural  
3                    activities identified by the task force.

4        (c) The membership of the greenhouse gas sequestration  
5 task force shall be as follows:

6        (1) The director of the office of planning or the  
7                    director's designee, who shall serve as chairperson;

8        (2) The chairperson of the board of agriculture or the  
9                    chairperson's designee;

10       (3) The chairperson of the board of land and natural  
11                   resources or the chairperson's designee;

12       (4) The director of transportation or the director's  
13                   designee;

14       (5) The deputy director of the department of health's  
15                   environmental health administration or the deputy  
16                   director's designee;

17       (6) The director of the office of environmental quality  
18                   control or the director's designee;

19       (7) The director of the environmental law program at the  
20                   University of Hawaii at Manoa William S. Richardson  
21                   School of Law;



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





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

4       (d) Members of the task force shall be exempt from section  
5 26-34 and shall serve without compensation, but shall be  
6 reimbursed for reasonable expenses necessary for the performance  
7 of their duties, including travel expenses.

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

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

17       (A) Types of agricultural and aquacultural practices,  
18 public land and marine use policies, and on-farm  
19 managing practices that would provide greenhouse  
20 gas benefits;



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



- 1           (E) Practices and policies that add trees or  
2           vegetation to expand the urban tree canopy in  
3           urban areas to reduce ambient temperatures and  
4           increase climate resiliency and improve  
5           greenhouse gas sequestration in Hawaii; and
- 6           (2) Beginning with the regular session of 2024, submit an  
7           annual report of its findings and recommendations,  
8           including any proposed legislation, to the legislature  
9           and the climate change mitigation and adaptation  
10           commission no later than twenty days prior to the  
11           convening of each regular session.
- 12           (f) The office of planning shall provide administrative  
13           and clerical support required by the task force."

14           SECTION 3. Chapter 342B, Hawaii Revised Statutes, is  
15           amended by adding a new section to part VI to be appropriately  
16           designated and to read as follows:

- 17           "§342B- Zero greenhouse gas emissions target. (a)  
18           Considering both atmospheric carbon and greenhouse gas emissions  
19           as well as offsets from the local sequestration of atmospheric  
20           carbon and greenhouse gases through long-term sinks and  
21           reservoirs, a statewide target is hereby established to



1 sequester more atmospheric carbon and greenhouse gases than  
2 emitted within the State as quickly as practicable, but no later  
3 than 2045.

4 (b) After January 1, 2020, all agency plans, decisions,  
5 and strategies shall give consideration to the impact of those  
6 plans, decisions, and strategies on the State's ability to  
7 achieve the goals in this section."

8 SECTION 4. Section 225P-1, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "[+]§225P-1[+] **Purpose.** The purpose of this chapter is to  
11 address the effects of climate change to protect the State's  
12 economy, environment, health, and way of life. This chapter  
13 establishes the framework for the State to:

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

17 (2) Mitigate its greenhouse gas emissions by sequestering  
18 more atmospheric carbon and greenhouse gases than the  
19 State produces as quickly as practicable, but no later  
20 than by 2045, pursuant to targets in section 342B-  
21 and working to achieve that goal."



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

3 1. By amending section 2 to read:

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

16 (b) The State shall strive to formulate and communicate  
17 long-term low greenhouse gas emission development strategies and  
18 shall take actions to conserve and enhance long-term sinks and  
19 reservoirs of greenhouse gases, by prioritizing the development  
20 of parks, greenways, and restoration of native upland and  
21 coastal forests and wetlands."



1           2.    By amending section 10 to read:

2           "SECTION 10.   This Act shall take effect on July 1, 2017;  
3 provided that section 6 shall take effect on [~~July 1, 2022.~~]  
4 January 1, 2045."

5           SECTION 6.   Act 33, Session Laws of Hawaii 2017, is  
6 repealed.

7           SECTION 7.   There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$150,000 or so much  
9 thereof as may be necessary for fiscal year 2018-2019 for the  
10 purpose of funding the greenhouse gas sequestration task force  
11 and its related efforts.

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

14           SECTION 8.   Statutory material to be repealed is bracketed  
15 and stricken.   New statutory material is underscored.

16           SECTION 9.   This Act shall take effect on July 1, 2018.



**Report Title:**

Environmental Protection; Carbon; Sequestration; Emissions;  
Farming; Office of Planning; Task Force; Appropriation

**Description:**

Makes permanent the Carbon Farming Task Force established by Act 33, Session Laws of Hawaii 2017, and renames it the Greenhouse Gas Sequestration Task Force. Aligns the State's clean energy and carbon sequestration efforts with climate initiative goals. Amends membership and duties of the Task Force. Establishes a zero-greenhouse gas emissions target for the State. Makes an appropriation. (HB2182 HD1)

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

