A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

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

The legislature further finds that the climate crisis is an existential threat and that greenhouse gas emissions from the
burning of fossil fuels is the key contributor. It poses a serious threat to our economy, public health, and environment. The State has committed to the elimination of fossil fuels from our energy sector and has committed to abiding by the Paris Climate Agreement's goal of limiting global warming to less than 1.5 degrees celsius above pre-industrial levels.

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

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

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

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

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

"Fossil fuel" means long-dead organic material that no longer can be dated because it lacks isotopic markers."
2. By amending the definition of "power-generating facility" to read:

"Power-generating facility" means:

(1) A new, fossil-fueled, electricity-generating facility, where the electrical output rating of the new equipment exceeds 5.0 megawatts; or

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

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

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

["#Renewable-energy-facility". DELETED.]

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

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

INTRODUCED BY: [Signature]
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.

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