

JAN 21 2021

---

# A BILL FOR AN ACT

RELATING TO THE STATE PLAN.

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

1           SECTION 1. The legislature finds that sustainable design  
2 concepts for public infrastructure incorporate green vegetation  
3 and trees to decrease urban temperatures, reduce carbon  
4 emissions, improve air quality, and capture water to replenish  
5 the water table. The effects of climate change have made  
6 implementing sustainable design concepts more critical, as each  
7 passing year has seen increased temperatures and other impacts  
8 from climate change.

9           Studies have determined that people who live in areas that  
10 have more trees and green space are less likely to have acute  
11 respiratory symptoms and less likely to die of heart disease or  
12 respiratory disease. Studies have also found that green  
13 vegetation, trees, and properly designed and well-maintained  
14 infrastructure can also produce significant improvements to  
15 mental health and have positive psychological and quality-of-  
16 life benefits in a community. The Walt Disney Company uses  
17 these principles in park design, including painting unsightly



1 infrastructure, such as trash cans and street lights, a standard  
2 shade of neutral green to blend them into the surrounding  
3 environment to improve the quality of experience for visitors.  
4 The same can be done in local communities to produce similar  
5 mental health and quality-of-life benefits.

6       The legislature further finds that Hawaii is world-renowned  
7 for its vegetation, and that citizens and tourists alike  
8 actively seek out green spaces. Increasing the number of parks  
9 and green spaces in Honolulu's urban core will increase the  
10 quality of life of residents and visitors alike.

11       Accordingly, the purpose of this Act is to improve the  
12 quality of life in the State by:

13       (1) Establishing objectives and policies for state  
14 facility systems in the Hawaii State Planning Act to  
15 achieve the use of green infrastructure, vegetation,  
16 and trees in state facility systems, infrastructure,  
17 and transit projects; and

18       (2) Requiring the office of planning, in partnership with  
19 the greenhouse gas sequestration task force, to make  
20 recommendations for implementing the green



1 infrastructure objectives, policies, and priority  
2 guidelines established by this Act.

3 SECTION 2. Chapter 226, Hawaii Revised Statutes, is  
4 amended by adding a new section to part I to be appropriately  
5 designated and to read as follows:

6 "§226- Objectives and policies for facility systems--  
7 green infrastructure. (a) Planning for state facility systems,  
8 infrastructure, and transit projects with regard to green  
9 infrastructure shall be directed toward the achievement of the  
10 following sustainability design objectives:

- 11 (1) Minimizing stormwater runoff and replenishing the  
12 water table;
- 13 (2) Reducing the urban heat-island effect;
- 14 (3) Encouraging the removal of pollutants from the air;  
15 and
- 16 (4) Encouraging the removal, sequestration, and storage of  
17 greenhouse gas emissions.

18 (b) Planning for state facility systems, infrastructure,  
19 and transit projects shall incorporate the achievement of the  
20 following quality of experience design objectives:



- 1        (1) Creating a visual and sound barrier to enhance the  
2            quality of life in the surrounding community;
- 3        (2) Incorporating as much live foliage, trees, green  
4            infrastructure, and open green space as possible; and
- 5        (3) Finishing exterior exposed appurtenances and concrete  
6            surfaces not covered in foliage or green  
7            infrastructure with a standardized paint scheme to  
8            protect against weathering, blending appropriately  
9            with Hawaii's natural environment, and enhancing a  
10          Hawaii sense of place, and providing for a better  
11          quality of experience.

12        (c) For the purpose of this section, "green  
13        infrastructure" means the range of measures that use plant or  
14        soil systems, permeable pavement or other permeable surfaces or  
15        substrates, stormwater harvest and reuse, or landscaping to  
16        store, infiltrate, or evapotranspire water and reduce flows to  
17        sewer systems or to surface waters."

18        SECTION 3. Section 226-12, Hawaii Revised Statutes, is  
19        amended by amending subsection (b) to read as follows:

20        "(b) To achieve the scenic, natural beauty, and historic  
21        resources objective, it shall be the policy of this State to:



- 1           (1) Promote the preservation and restoration of
- 2                   significant natural and historic resources.
- 3           (2) Provide incentives to maintain and enhance historic,
- 4                   cultural, and scenic amenities.
- 5           (3) Promote the preservation of views and vistas to
- 6                   enhance the visual and aesthetic enjoyment of
- 7                   mountains, ocean, scenic landscapes, and other natural
- 8                   features.
- 9           (4) Protect those special areas, structures, and elements
- 10                   that are an integral and functional part of Hawaii's
- 11                   ethnic and cultural heritage.
- 12           (5) Encourage the design of developments and activities
- 13                   that complement the natural beauty of the islands.
- 14           (6) Promote the increase of outdoor public green spaces.
- 15           (7) Connect outdoor public green spaces with existing
- 16                   trails.
- 17           (8) Promote the increase of urban tree canopy."

18           SECTION 4. Section 226-104, Hawaii Revised Statutes, is  
19 amended to read as follows:



1           "§226-104   **Population growth and land resources priority**  
2 **guidelines.** (a) Priority guidelines to effect desired  
3 statewide growth and distribution:

4           (1) Encourage planning and resource management to insure  
5           that population growth rates throughout the State are  
6           consistent with available and planned resource  
7           capacities and reflect the needs and desires of  
8           Hawaii's people.

9           (2) Manage a growth rate for Hawaii's economy that will  
10          parallel future employment needs for Hawaii's people.

11          (3) Ensure that adequate support services and facilities  
12          are provided to accommodate the desired distribution  
13          of future growth throughout the State.

14          (4) Encourage major state and federal investments and  
15          services to promote economic development and private  
16          investment to the neighbor islands, as appropriate.

17          (5) Explore the possibility of making available urban  
18          land, low-interest loans, and housing subsidies to  
19          encourage the provision of housing to support  
20          selective economic and population growth on the  
21          neighbor islands.



1           (6) Seek federal funds and other funding sources outside  
2           the State for research, program development, and  
3           training to provide future employment opportunities on  
4           the neighbor islands.

5           (7) Support the development of high technology parks on  
6           the neighbor islands.

7           (b) Priority guidelines for regional growth distribution  
8 and land resource utilization:

9           (1) Encourage urban growth primarily to existing urban  
10           areas where adequate public facilities are already  
11           available or can be provided with reasonable public  
12           expenditures, and away from areas where other  
13           important benefits are present, such as protection of  
14           important agricultural land or preservation of  
15           lifestyles.

16           (2) Make available marginal or nonessential agricultural  
17           lands for appropriate urban uses while maintaining  
18           agricultural lands of importance in the agricultural  
19           district.

20           (3) Restrict development when drafting of water would  
21           result in exceeding the sustainable yield or in



1 significantly diminishing the recharge capacity of any  
2 groundwater area.

3 (4) Encourage restriction of new urban development in  
4 areas where water is insufficient from any source for  
5 both agricultural and domestic use.

6 (5) In order to preserve green belts, give priority to  
7 state capital-improvement funds which encourage  
8 location of urban development within existing urban  
9 areas except where compelling public interest dictates  
10 development of a noncontiguous new urban core.

11 (6) Seek participation from the private sector for the  
12 cost of building infrastructure and utilities, and  
13 maintaining open spaces.

14 (7) Pursue rehabilitation of appropriate urban areas.

15 (8) Support the redevelopment of Kakaako into a viable  
16 residential, industrial, and commercial community.

17 (9) Direct future urban development away from critical  
18 environmental areas or impose mitigating measures so  
19 that negative impacts on the environment would be  
20 minimized.



- 1           (10) Identify critical environmental areas in Hawaii to  
2           include but not be limited to the following:  
3           watershed and recharge areas; wildlife habitats (on  
4           land and in the ocean); areas with endangered species  
5           of plants and wildlife; natural streams and water  
6           bodies; scenic and recreational shoreline resources;  
7           open space and natural areas; historic and cultural  
8           sites; areas particularly sensitive to reduction in  
9           water and air quality; and scenic resources.
- 10          (11) Identify all areas where priority should be given to  
11          preserving rural character and lifestyle.
- 12          (12) Utilize Hawaii's limited land resources wisely,  
13          providing adequate land to accommodate projected  
14          population and economic growth needs while ensuring  
15          the protection of the environment and the availability  
16          of the shoreline, conservation lands, and other  
17          limited resources for future generations.
- 18          (13) Protect and enhance Hawaii's shoreline, open spaces,  
19          and scenic resources.



1        (c) Priority guidelines to promote the use of green  
2 infrastructure in state facility systems, infrastructure, and  
3 transit projects:

4        (1) Design all new state facilities, infrastructure, and  
5 transit upgrades to include best practices for tree  
6 planting and other green infrastructure.

7        (2) Make provisions for maintaining trees in accordance  
8 with standards set by the Accredited Standards  
9 Committee of the Tree Care Industry Association.

10       (3) Select tree species matched to site conditions to  
11 maximize tree health.

12       (4) Select tree and vegetation species for larger size at  
13 maturity where possible to maximize environmental  
14 benefits.

15       (5) Select varied native tree and vegetation species for  
16 biodiversity to increase resilience.

17       (6) Promote traffic safety with placement of foliage and  
18 trees consistent with Federal Highway Administration  
19 guidance, outside of "clear zones".

20       SECTION 5. The office of planning, in partnership with the  
21 greenhouse gas sequestration task force, shall submit a report



1 to the legislature, no later than twenty days prior to the  
2 convening of the regular session of 2022, that includes:

3 (1) Recommendations for implementing the green  
4 infrastructure objectives and policies set out by  
5 section 226- , Hawaii Revised Statutes, as  
6 established by section 2 of this Act, and the priority  
7 guidelines set out by section 226-104(c), Hawaii  
8 Revised Statutes, as established by section 4 of this  
9 Act; and

10 (2) Any other findings and recommendations, including any  
11 proposed legislation.

12 SECTION 6. New statutory material is underscored.

13 SECTION 7. This Act shall take effect upon its approval.

14

INTRODUCED BY:



# S.B. NO. 167

**Report Title:**

State Plan; Green Infrastructure; Office of Planning; Greenhouse Gas Sequestration Task Force; Report

**Description:**

Establishes green infrastructure objectives and policies for state facility systems in the Hawaii State Planning Act to improve the quality of life for residents and visitors. Adds definition of "green infrastructure". Requires the office of planning, in partnership with the greenhouse gas sequestration task force, to submit a report to the legislature making recommendations for implementing the green infrastructure objectives, policies, and priority guidelines established by this measure.

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

