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



1 unsightly infrastructure, such as trash cans and street lights,  
2 a standard shade of neutral green to blend them into the  
3 surrounding environment to improve the quality of experience for  
4 visitors. The same can be done in local communities to produce  
5 similar 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 actively  
8 seek out green spaces. Increasing the number of parks and green  
9 spaces in Honolulu's urban core will enhance the quality of life  
10 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, policies, and priority  
14 guidelines for state facility systems in the Hawaii  
15 State Planning Act to achieve the use of green  
16 infrastructure, vegetation, and trees in state  
17 facility systems, infrastructure, and transit  
18 projects; and
- 19 (2) Requiring the office of planning and sustainable  
20 development, in partnership with the greenhouse gas  
21 sequestration task force, to make recommendations for



1 implementing the green infrastructure objectives,  
2 policies, and priority guidelines established by this  
3 Act.

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

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

- 13 (1) Minimizing stormwater runoff and replenishing the  
14 water table;
- 15 (2) Reducing the urban heat-island effect;
- 16 (3) Removing pollutants from the air; and
- 17 (4) Removing, sequestering, and storing greenhouse gas  
18 emissions.

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



- 1        (1) Creating a visual and sound barrier to enhance the
- 2            quality of life in the surrounding community; and
- 3        (2) Incorporating live foliage, trees, green
- 4            infrastructure, and open green space, with a priority
- 5            on the use of non-invasive Polynesian introduced and
- 6            Hawaiian plants."

7            SECTION 3. Section 226-2, Hawaii Revised Statutes, is  
8 amended by adding two new definitions to be appropriately  
9 inserted and to read as follows:

10            "Green infrastructure" means the range of measures that  
11 use plant or soil systems, including trees, permeable pavement  
12 or other permeable surfaces or substrates, stormwater harvest  
13 and reuse, or landscaping to store, infiltrate, or  
14 evapotranspire water and reduce flows to sewer systems or to  
15 surface waters.

16            "Hawaiian plants" shall have the same meaning as in  
17 section 103D-408."

18            SECTION 4. 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 the urban tree canopy.
- 18 (9) Prioritize the use of Hawaiian plants where feasible  
19 to contribute to Hawaii's historic and cultural  
20 heritage, sense of place, biodiversity, and  
21 resilience."



1 SECTION 5. Section 226-104, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§226-104 Population growth [and], land resources, and  
4 green infrastructure priority guidelines. (a) Priority  
5 guidelines to effect desired statewide growth and distribution:

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

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

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

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

19 (5) Explore the possibility of making available urban  
20 land, low-interest loans, and housing subsidies to  
21 encourage the provision of housing to support



- 1 selective economic and population growth on the  
2 neighbor islands.
- 3 (6) Seek federal funds and other funding sources outside  
4 the State for research, program development, and  
5 training to provide future employment opportunities on  
6 the neighbor islands.
- 7 (7) Support the development of high technology parks on  
8 the neighbor islands.
- 9 (b) Priority guidelines for regional growth distribution  
10 and land resource utilization:
- 11 (1) Encourage urban growth primarily to existing urban  
12 areas where adequate public facilities are already  
13 available or can be provided with reasonable public  
14 expenditures, and away from areas where other  
15 important benefits are present, such as protection of  
16 important agricultural land or preservation of  
17 lifestyles.
- 18 (2) Make available marginal or nonessential agricultural  
19 lands for appropriate urban uses while maintaining  
20 agricultural lands of importance in the agricultural  
21 district.



- 1           (3) Restrict development when drafting of water would  
2           result in exceeding the sustainable yield or in  
3           significantly diminishing the recharge capacity of any  
4           groundwater area.
- 5           (4) Encourage restriction of new urban development in  
6           areas where water is insufficient from any source for  
7           both agricultural and domestic use.
- 8           (5) In order to preserve green belts, give priority to  
9           state capital-improvement funds which encourage  
10          location of urban development within existing urban  
11          areas except where compelling public interest dictates  
12          development of a noncontiguous new urban core.
- 13          (6) Seek participation from the private sector for the  
14          cost of building infrastructure and utilities, and  
15          maintaining open spaces.
- 16          (7) Pursue rehabilitation of appropriate urban areas.
- 17          (8) Support the redevelopment of Kakaako into a viable  
18          residential, industrial, and commercial community.
- 19          (9) Direct future urban development away from critical  
20          environmental areas or impose mitigating measures so



- 1           that negative impacts on the environment would be  
2           minimized.
- 3       (10) Identify critical environmental areas in Hawaii to  
4           include but not be limited to the following:  
5           watershed and recharge areas; wildlife habitats (on  
6           land and in the ocean); areas with endangered species  
7           of plants and wildlife; natural streams and water  
8           bodies; scenic and recreational shoreline resources;  
9           open space and natural areas; historic and cultural  
10          sites; areas particularly sensitive to reduction in  
11          water and air quality; and scenic resources.
- 12       (11) Identify all areas where priority should be given to  
13          preserving rural character and lifestyle.
- 14       (12) Utilize Hawaii's limited land resources wisely,  
15          providing adequate land to accommodate projected  
16          population and economic growth needs while ensuring  
17          the protection of the environment and the availability  
18          of the shoreline, conservation lands, and other  
19          limited resources for future generations.
- 20       (13) Protect and enhance Hawaii's shoreline, open spaces,  
21          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) Periodically revisit and modernize the design and  
11 planting around the area where trees are planted in  
12 urban areas.
- 13       (4) Select tree species matched to site conditions to  
14 maximize tree health.
- 15       (5) Select tree and vegetation species for larger size at  
16 maturity where possible to maximize environmental  
17 benefits.
- 18       (6) Select varied non-invasive Polynesian introduced and  
19 native tree and vegetation species for biodiversity to  
20 increase resilience.



1        (7) Promote traffic safety with placement of foliage and  
2                    trees consistent with Federal Highway Administration  
3                    guidance, outside of "clear zones"."

4            SECTION 6. The office of planning and sustainable  
5 development, in partnership with the greenhouse gas  
6 sequestration task force, shall submit a report to the  
7 legislature, no later than twenty days prior to the convening of  
8 the regular session of 2024, that includes:

9            (1) Recommendations for implementing the green  
10                   infrastructure objectives and policies set out by  
11                   section 226-     , Hawaii Revised Statutes, as  
12                   established by section 2 of this Act, and the priority  
13                   guidelines set out by section 226-104(c), Hawaii  
14                   Revised Statutes, as established by section 5 of this  
15                   Act; and

16            (2) Any other findings and recommendations, including any  
17                   proposed legislation.

18            SECTION 7. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20            SECTION 8. This Act shall take effect upon its approval.

21



H.B. NO. 837

1

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'H. J. O.', written over a horizontal line.

JAN 23 2023



# H.B. NO. 837

**Report Title:**

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

**Description:**

Establishes green infrastructure objectives, policies, and priority guidelines for state facility systems, infrastructure, and transit projects 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 and sustainable development, 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.

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

