
A BILL FOR AN ACT

RELATING TO SUSTAINABILITY.

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

1 SECTION 1. The legislature finds that not only is climate
2 change real and occurring, but it is also the overriding
3 challenge of the twenty-first century and one of the priority
4 issues of the State. Climate change poses immediate and long-
5 term threats to the State's economy, sustainability, security,
6 and way of life.

7 The legislature recognized in Act 8, Special Session Laws
8 of Hawaii 2005, amended by Act 210, Session Laws of Hawaii 2006,
9 that "many quality-of-life issues, including water quality, air
10 quality, land use, energy, and ocean resources, are important to
11 the people of Hawaii and should be the focus for planning
12 Hawaii's future" and created the Hawaii 2050 task force and the
13 Hawaii 2050 sustainability plan to "coordinate the actions
14 needed to sustain a growing and vibrant economy, while
15 maintaining a high quality of life for all residents and
16 visitors."



1 The legislature recognized in Act 181, Session Laws of
2 Hawaii 2011, that the "creation of the Hawaii 2050
3 sustainability plan comes as the State faces a growing number of
4 pressing issues, including the steady deterioration of public
5 infrastructure, the lack of affordable housing, a continued
6 reliance on a service-based economy, the vulnerability of Hawaii
7 in a volatile global energy market, possible interruptions in
8 travel and to critical food supplies, threats to fragile island
9 ecosystems, ever-increasing numbers of residents, and an
10 increasing number of visitors over the long-term. These issues
11 all raise questions about the long-term limits of growth in the
12 State and highlight the need to begin planning and acting to
13 assure Hawaii's future."

14 The legislature notes that the office of planning is
15 administratively attached to the department of business,
16 economic development, and tourism and was established to:

- 17 (1) Fix responsibility and accountability to successfully
18 carry out statewide planning programs, policies, and
19 priorities;
20 (2) Improve the efficiency and effectiveness of the
21 operations of the executive branch; and



1 (3) Ensure comprehensive planning and coordination to
2 enhance the quality of life of the people of Hawaii.
3 Accordingly, the office of planning is responsible for providing
4 technical assistance in administering the Hawaii state plan
5 under chapter 226, Hawaii Revised Statutes, and assisting the
6 State in pursuing the seven major areas of statewide concern,
7 including sustainability, to improve the quality of life for
8 Hawaii's present and future populations. Thus, the office of
9 planning includes a sustainability coordinator who is
10 responsible for establishing statewide sustainability planning
11 and implementing the State's sustainability goals and policies.
12 However, the legislature further notes that the sustainability
13 coordinator is the only individual in the office who is
14 responsible for sustainability issues and operates without a
15 budget to pursue sustainability initiatives. Given the
16 importance of sustainability for Hawaii, the legislature
17 believes that the office of planning should incorporate a
18 greater focus on sustainability into the office of planning's
19 duties and responsibilities.

20 The purpose of this Act is to establish a stronger policy
21 framework for Hawaii's sustainability efforts by incorporating



1 sustainability into the duties and responsibilities of the
2 office of planning to ensure long-term planning, coordination,
3 and implementation of Hawaii's sustainability goals and
4 policies.

5 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is
6 amended by amending its title to read as follows:

7 "CHAPTER 225M

8 STATE PLANNING AND SUSTAINABILITY"

9 SECTION 3. Section 225M-1, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§225M-1 Purpose. The purpose of this chapter is to
12 establish an office of planning and sustainability to assist the
13 governor and the director of business, economic development, and
14 tourism in maintaining an overall framework to guide the
15 development of the State through a continuous process of
16 comprehensive, long-range, and strategic planning to meet the
17 physical, economic, and social needs of Hawaii's people, and
18 provide for the wise use of Hawaii's resources in a coordinated,
19 efficient, and economical manner, including the conservation of
20 those natural, environmental, recreational, scenic, historic,



1 and other limited and irreplaceable resources [~~which~~] that are
2 required for future generations.

3 The establishment of an office of planning and
4 sustainability in the department of business, economic
5 development, and tourism, for administrative purposes, is
6 intended to:

7 (1) Fix responsibility and accountability to successfully
8 carry out statewide planning programs, policies, and
9 priorities;

10 (2) Improve the efficiency and effectiveness of the
11 operations of the executive branch;

12 (3) Ensure comprehensive planning and coordination to
13 enhance the quality of life of the people of
14 Hawaii~~[-]~~; and

15 (4) Implement sustainability principles and policies that
16 increase economic development while developing and
17 protecting resources in a manner that enables
18 individuals to meet their current needs and ensures
19 that future generations can also meet their needs,
20 from the joint perspective of environmental, economic,



1 and community objectives through collaboration and
2 cooperation between the public and private sectors."

3 SECTION 4. Section 225M-2, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§225M-2 Office of planning[7] and sustainability;**
6 **establishment; responsibilities.** (a) There is established
7 within the department of business, economic development, and
8 tourism an office of planning[7] and sustainability. The head
9 of the office shall be known as the director of the office of
10 planning[7] and sustainability, referred to in this chapter as
11 director. The director shall have: [training]

12 (1) Training in the field of urban or regional planning,
13 public administration, or other related fields;
14 [experience]

15 (2) Experience in programs or services related to
16 governmental planning; and [experience]

17 (3) Experience in a supervisory, consultative, or
18 administrative capacity.

19 The director shall be nominated by the governor and, by and with
20 the advice and consent of the senate, appointed by the governor
21 without regard to chapter 76, and shall be compensated at a



1 salary level set by the governor. The director shall be
2 included in any benefit program generally applicable to the
3 officers and employees of the State. The director shall retain
4 [~~such~~] staff as may be necessary for the purposes of this
5 chapter, in conformity with chapter 76. The director shall
6 report to the director of business, economic development, and
7 tourism and shall not be required to report directly to any
8 other principal executive department.

9 (b) The office of planning and sustainability shall
10 gather, analyze, and provide information to the governor to
11 assist in the overall analysis and formulation of state policies
12 and strategies to provide central direction and cohesion in the
13 allocation of resources and effectuation of state activities and
14 programs and effectively address current or emerging issues and
15 opportunities. More specifically, the office shall engage in
16 the following activities:

- 17 (1) State comprehensive planning and program coordination.
18 Formulating and articulating comprehensive statewide
19 goals, objectives, policies, and priorities, and
20 coordinating their implementation through the



1 statewide planning system established in part II of
2 chapter 226;

3 (2) Strategic planning. Identifying and analyzing
4 significant issues, problems, and opportunities
5 confronting the State, and formulating strategies and
6 alternative courses of action in response to
7 identified problems and opportunities by:

8 (A) Providing in-depth policy research, analysis, and
9 recommendations on existing or potential areas of
10 critical state concern;

11 (B) Examining and evaluating the effectiveness of
12 state programs in implementing state policies and
13 priorities;

14 (C) Monitoring through surveys, environmental
15 scanning, and other techniques--current social,
16 economic, and physical conditions and trends; and

17 (D) Developing, in collaboration with affected public
18 or private agencies and organizations,
19 implementation plans and schedules and, where
20 appropriate, assisting in the mobilization of
21 resources to meet identified needs;



1 (3) Planning coordination and cooperation. Facilitating
2 coordinated and cooperative planning and policy
3 development and implementation activities among state
4 agencies and between the state, county, and federal
5 governments, by:

6 (A) Reviewing, assessing, and coordinating, as
7 necessary, major plans, programs, projects, and
8 regulatory activities existing or proposed by
9 state and county agencies;

10 (B) Formulating mechanisms to simplify, streamline,
11 or coordinate interagency development and
12 regulatory processes; and

13 (C) Recognizing the presence of federal defense and
14 security forces and agencies in the State as
15 important state concerns;

16 (4) Statewide planning and geographic information system.
17 Collecting, integrating, analyzing, maintaining, and
18 disseminating various forms of data and information,
19 including geospatial data and information, to further
20 effective state planning, policy analysis and
21 development, and delivery of government services by:



- 1 (A) Collecting, assembling, organizing, evaluating,
2 and classifying existing geospatial and non-
3 geospatial data and performing necessary basic
4 research, conversions, and integration to provide
5 a common database for governmental planning and
6 geospatial analyses by state agencies;
- 7 (B) Planning, coordinating, and maintaining a
8 comprehensive, shared statewide planning and
9 geographic information system and associated
10 geospatial database. The office shall be the
11 lead agency responsible for coordinating the
12 maintenance of the multi-agency, statewide
13 planning and geographic information system and
14 coordinating, collecting, integrating, and
15 disseminating geospatial data sets that are used
16 to support a variety of state agency applications
17 and other spatial data analyses to enhance
18 decision-making. The office shall promote and
19 encourage free and open data sharing among and
20 between all government agencies. To ensure the
21 maintenance of a comprehensive, accurate, up-to-



1 date geospatial data resource that can be drawn
2 upon for decision-making related to essential
3 public policy issues, such as land use planning,
4 resource management, homeland security, and the
5 overall health, safety, and well-being of
6 Hawaii's citizens, and to avoid redundant data
7 development efforts, state agencies shall provide
8 to the shared system either their respective
9 geospatial databases or, at a minimum, especially
10 in cases of secure or confidential data sets that
11 cannot be shared or must be restricted, metadata
12 describing existing geospatial data. In cases
13 where agencies provide restricted data, the
14 office of planning and sustainability shall
15 ensure the security of that data; and

16 (C) Maintaining a centralized depository of state and
17 national planning references;

18 (5) Land use planning. Developing and presenting the
19 position of the State in all boundary change petitions
20 and proceedings before the land use commission,
21 assisting state agencies in the development and



1 submittal of petitions for land use district boundary
2 amendments, and conducting periodic reviews of the
3 classification and districting of all lands in the
4 State, as specified in chapter 205;

5 (6) Coastal and ocean policy management. Carrying out the
6 lead agency responsibilities for the Hawaii coastal
7 zone management program, as specified in chapter 205A.
8 Also, developing and maintaining an ocean and coastal
9 resources information, planning, and management system
10 further developing and coordinating implementation of
11 the ocean resources management plan, and formulating
12 ocean policies with respect to the exclusive economic
13 zone, coral reefs, and national marine sanctuaries;

14 (7) Regional planning and studies. Conducting plans and
15 studies to determine:

16 (A) The capability of various regions within the
17 State to support projected increases in [~~both~~]
18 resident populations and visitors;

19 (B) The potential physical, social, economic, and
20 environmental impact on these regions resulting



1 from increases in [~~both~~] resident populations and
2 visitors;

3 (C) The maximum annual visitor carrying capacity for
4 the State by region, county, and island; and

5 (D) The appropriate guidance and management of
6 selected regions and areas of statewide critical
7 concern.

8 The studies in subparagraphs (A) to (C) shall be
9 conducted at appropriate intervals, but [~~not~~] no less
10 than once every five years;

11 (8) Regional, national, and international planning.

12 Participating in and ensuring that state plans,
13 policies, and objectives are consistent, to the extent
14 practicable, with regional, national, and
15 international planning efforts;

16 (9) Climate adaptation planning. Conducting plans and
17 studies and preparing reports as follows:

18 (A) Develop, monitor, and evaluate strategic climate
19 adaptation plans and actionable policy
20 recommendations for the State and counties
21 addressing expected statewide climate change



1 impacts identified under Act 286, Session Laws of
2 Hawaii 2012, through the year 2050;

3 (B) Provide planning and policy guidance and
4 assistance to state and county agencies regarding
5 climate change; and

6 (C) Publish its findings, recommendations, and
7 progress reports on actions taken no later than
8 December 31, 2017, and its annual report to the
9 governor and the legislature thereafter; [and]

10 (10) Smart growth and transit-oriented development. Acting
11 as the lead agency to coordinate and advance smart
12 growth and transit-oriented development planning
13 within the State as follows:

14 (A) Identify transit-oriented development
15 opportunities shared between state and county
16 agencies, including relevant initiatives such as
17 the department of health's healthy Hawaii
18 initiative and the Hawaii clean energy
19 initiative;

20 (B) Refine the definition of "transit-oriented
21 development" in the context of Hawaii, while



1 recognizing the potential for smart growth

2 development patterns in all locations;

3 (C) Clarify state goals for transit-oriented

4 development and smart growth that support the

5 principles of the Hawaii State Planning Act by

6 preserving non-urbanized land, improving worker

7 access to jobs, and reducing fuel consumption;

8 (D) Target transit-oriented development areas for

9 significant increase in affordable housing and

10 rental units;

11 (E) Conduct outreach to state agencies to help

12 educate state employees about the ways they can

13 support and benefit from transit-oriented

14 development and the State's smart growth goals;

15 (F) Publicize coordinated state efforts that support

16 smart growth, walkable neighborhoods, and

17 transit-oriented development;

18 (G) Review state land use decision-making processes

19 to identify ways to make transit-oriented

20 development a higher priority and facilitate

21 better and more proactive leadership in creating



1 walkable communities and employment districts,
2 even if transit will only be provided at a later
3 date; and

4 (H) Approve all state agencies' development plans for
5 parcels along the rail transit corridor. For the
6 purposes of this subparagraph, "development
7 plans" means conceptual land use plans that
8 identify the location and planned uses within a
9 defined area[-]; and

10 (11) Sustainability. Acting as the lead agency to
11 coordinate and advance the development and
12 implementation of sustainability principles and
13 policies among state agencies, the office of planning
14 and sustainability shall:

15 (A) In conducting internal operations, assist state
16 agencies to achieve the following objectives:

17 (i) State purchases shall be made in a manner
18 that serves the broad, long-term financial
19 interests of the State, including ensuring
20 that environmental, economic, and societal
21 improvements are made to enhance



1 environmental, economic, and societal well-
2 being;

3 (ii) Investments in facilities, equipment, and
4 durable goods shall reflect the highest
5 feasible efficiency and lowest life-cycle
6 costs;

7 (iii) Investments and expenditures shall promote
8 improvements in the efficient use of energy,
9 water, and other resources;

10 (iv) State operations shall be situated in
11 diverse locations, including rural and
12 economically distressed communities;

13 (v) State operations and purchases shall help
14 maintain vital and active urban communities,
15 including downtown areas;

16 (vi) State purchases shall support opportunities
17 for economically distressed communities and
18 historically underemployed individuals;

19 (vii) State operations shall reflect partnerships
20 with communities and businesses;



(viii) State operations shall help reduce adverse effects on native habitats and species and help restore ecological processes;

(ix) State operations shall be conducted using methods that significantly increase the efficient use of energy, water, and other resources; and

(x) State operations and purchases shall reflect the efficient use and reuse of resources and reduction of contaminants released into the environment;

(B) In supporting sustainable communities, assist and encourage local communities to achieve the following objectives:

(i) Resilient local economies that provide
diverse economic opportunities for all
residents;

(ii) Workers supported by lifelong education that
will ensure a globally competitive
workforce;

(iii) An independent and productive citizenry;



1 (iv) Youth supported by strong families and
2 communities;

3 (v) Urban communities, including downtown areas,
4 that are active and vital;

5 (vi) Development that wisely and efficiently uses
6 infrastructure investments and natural
7 resources;

8 (vii) Affordable housing available for residents
9 in community centers;

10 (viii) Healthy urban and rural watersheds,
11 including habitats for fish and wildlife;

12 (ix) Clean and sufficient water for all uses; and

13 (x) Efficient use and reuse of resources and
14 minimization of harmful emissions into the
15 environment;

16 (C) Assist state agencies in intensifying efforts to
17 increase the economic stability of communities
18 that are designated as economically distressed;

19 (D) Develop and promote policies and programs that
20 assist in the meeting of sustainability goals
21 established in this chapter and the priority



1 guidelines and principles to promote
2 sustainability set forth in section 226-108;
3 (E) Identify, evaluate, make recommendations
4 regarding, and propose legislation, regulatory
5 changes, or policy modifications to the governor,
6 the legislature, government agencies, private
7 entities, and other bodies for the purpose of
8 encouraging activities that best sustain,
9 protect, and enhance the quality of the
10 environment, economy, and community for the
11 present and future benefit of the people of
12 Hawaii; and
13 (F) Develop and promote proposals that jointly and
14 mutually enhance local economies, the
15 environment, and community health for the present
16 and future benefit of the people of Hawaii."

17 SECTION 5. Sections 4E-1, 6K-6, 195-6, 200D-2, 201-102,
18 205-4, 205-6, 205-18, 205-47, 205-48, 205-49, 205-50, 205A-1,
19 214-4, 223-2, 223-3, 225M-3, 225M-4, 225P-3, 226-2, 226-53,
20 226-56, 226-59, 226-64, and 279A-4, Hawaii Revised Statutes, are
21 amended by substituting the words "office of planning and



1 sustainability" wherever the words "office of planning" appears,
2 as the context requires.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on January 28, 2045.



Report Title:

Office of Planning and Sustainability; Sustainability Goals and Policies

Description:

Renames the office of planning as the office of planning and sustainability and incorporates sustainability into the duties and responsibilities of the office to ensure long-term planning, coordination, and implementation of Hawaii's sustainability goals and policies. Takes effect on 1/28/2045. (SD1)

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