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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 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 actively  
8 seek out green spaces. Increasing the number of parks and green  
9 spaces in Honolulu's urban core will increase the quality of  
10 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, 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, in partnership with  
20 the greenhouse gas sequestration task force, to make  
21 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 infrastructure, and transit projects; green infrastructure. (a)  
8 Planning for state facility systems, infrastructure, and transit  
9 projects with regard to green infrastructure shall be directed  
10 toward the achievement of the following sustainability design  
11 objectives:

- 12 (1) Minimizing stormwater runoff and replenishing the
- 13 water table;
- 14 (2) Reducing the urban heat-island effect;
- 15 (3) Encouraging the removal of pollutants from the air;
- 16 and
- 17 (4) Encouraging the removal, sequestration, and storage of
- 18 greenhouse gas 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;  
3        (2) Incorporating as much live foliage, trees, green  
4            infrastructure, and open green space as possible, with  
5            a priority on the use of Hawaiian plants where  
6            feasible; and  
7        (3) Finishing exterior exposed appurtenances and concrete  
8            surfaces not covered in foliage or green  
9            infrastructure with a standardized paint scheme to  
10           protect against weathering, blending appropriately  
11           with Hawaii's natural environment, and enhancing a  
12           Hawaii sense of place that provides for a better  
13           quality of life experience."

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

17           "Green infrastructure" means the range of measures that  
18 use plant or soil systems, including trees, permeable pavement  
19 or other permeable surfaces or substrates, stormwater harvest  
20 and reuse, or landscaping to store, infiltrate, or



1 evapotranspirate water and reduce flows to sewer systems or to  
2 surface waters.

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

5 SECTION 4. Section 226-12, Hawaii Revised Statutes, is  
6 amended by amending subsection (b) to read as follows:

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

- 9 (1) Promote the preservation and restoration of  
10 significant natural and historic resources.
- 11 (2) Provide incentives to maintain and enhance historic,  
12 cultural, and scenic amenities.
- 13 (3) Promote the preservation of views and vistas to  
14 enhance the visual and aesthetic enjoyment of  
15 mountains, ocean, scenic landscapes, and other natural  
16 features.
- 17 (4) Protect those special areas, structures, and elements  
18 that are an integral and functional part of Hawaii's  
19 ethnic and cultural heritage.
- 20 (5) Encourage the design of developments and activities  
21 that complement the natural beauty of the islands.



- 1        (6) Promote the increase of outdoor public green spaces.
- 2        (7) Connect outdoor public green spaces with existing
- 3            trails.
- 4        (8) Promote the increase of urban tree canopy.
- 5        (9) Prioritize the use of Hawaiian plants where feasible
- 6            to contribute to Hawaii's historic and cultural
- 7            heritage, sense of place, biodiversity, and
- 8            resilience."

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

11            "**§226-104 Population growth [and], land resources, and**  
 12 **green infrastructure priority guidelines.** (a) Priority  
 13 guidelines to effect desired statewide growth and distribution:

14            (1) Encourage planning and resource management to insure  
 15 that population growth rates throughout the State are  
 16 consistent with available and planned resource  
 17 capacities and reflect the needs and desires of  
 18 Hawaii's people.

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



- 1           (3)    Ensure that adequate support services and facilities  
2                    are provided to accommodate the desired distribution  
3                    of future growth throughout the State.
- 4           (4)    Encourage major state and federal investments and  
5                    services to promote economic development and private  
6                    investment to the neighbor islands, as appropriate.
- 7           (5)    Explore the possibility of making available urban  
8                    land, low-interest loans, and housing subsidies to  
9                    encourage the provision of housing to support  
10                   selective economic and population growth on the  
11                   neighbor islands.
- 12          (6)    Seek federal funds and other funding sources outside  
13                    the State for research, program development, and  
14                    training to provide future employment opportunities on  
15                    the neighbor islands.
- 16          (7)    Support the development of high technology parks on  
17                    the neighbor islands.
- 18          (b)    Priority guidelines for regional growth distribution  
19 and land resource utilization:
- 20          (1)    Encourage urban growth primarily to existing urban  
21                    areas where adequate public facilities are already



1 available or can be provided with reasonable public  
2 expenditures, and away from areas where other  
3 important benefits are present, such as protection of  
4 important agricultural land or preservation of  
5 lifestyles.

6 (2) Make available marginal or nonessential agricultural  
7 lands for appropriate urban uses while maintaining  
8 agricultural lands of importance in the agricultural  
9 district.

10 (3) Restrict development when drafting of water would  
11 result in exceeding the sustainable yield or in  
12 significantly diminishing the recharge capacity of any  
13 groundwater area.

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

17 (5) In order to preserve green belts, give priority to  
18 state capital-improvement funds which encourage  
19 location of urban development within existing urban  
20 areas except where compelling public interest dictates  
21 development of a noncontiguous new urban core.





- 1           (6)    Seek participation from the private sector for the  
2                    cost of building infrastructure and utilities, and  
3                    maintaining open spaces.
- 4           (7)    Pursue rehabilitation of appropriate urban areas.
- 5           (8)    Support the redevelopment of Kakaako into a viable  
6                    residential, industrial, and commercial community.
- 7           (9)    Direct future urban development away from critical  
8                    environmental areas or impose mitigating measures so  
9                    that negative impacts on the environment would be  
10                  minimized.
- 11          (10)   Identify critical environmental areas in Hawaii to  
12                    include but not be limited to the following:  
13                    watershed and recharge areas; wildlife habitats (on  
14                    land and in the ocean); areas with endangered species  
15                    of plants and wildlife; natural streams and water  
16                    bodies; scenic and recreational shoreline resources;  
17                    open space and natural areas; historic and cultural  
18                    sites; areas particularly sensitive to reduction in  
19                    water and air quality; and scenic resources.
- 20          (11)   Identify all areas where priority should be given to  
21                    preserving rural character and lifestyle.



1 (12) Utilize Hawaii's limited land resources wisely,  
2 providing adequate land to accommodate projected  
3 population and economic growth needs while ensuring  
4 the protection of the environment and the availability  
5 of the shoreline, conservation lands, and other  
6 limited resources for future generations.

7 (13) Protect and enhance Hawaii's shoreline, open spaces,  
8 and scenic resources.

9 (c) Priority guidelines to promote the use of green  
10 infrastructure in state facility systems, infrastructure, and  
11 transit projects:

12 (1) Design all new state facilities, infrastructure, and  
13 transit upgrades to include best practices for tree  
14 planting and other green infrastructure.

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

18 (3) Select tree species matched to site conditions to  
19 maximize tree health.



- 1        (4) Select tree and vegetation species for larger size at
- 2                    maturity where possible to maximize environmental
- 3                    benefits.
- 4        (5) Select varied native tree and vegetation species for
- 5                    biodiversity to increase resilience.
- 6        (6) Promote traffic safety with placement of foliage and
- 7                    trees consistent with Federal Highway Administration
- 8                    guidance, outside of "clear zones".

9            SECTION 6. The office of planning, in partnership with the  
10 greenhouse gas sequestration task force, shall submit a report  
11 to the legislature, no later than twenty days prior to the  
12 convening of the regular session of 2022, that includes:

- 13            (1) Recommendations for implementing the green
- 14                    infrastructure objectives and policies set out by
- 15                    section 226- , Hawaii Revised Statutes, as
- 16                    established by section 2 of this Act, and the priority
- 17                    guidelines set out by section 226-104(c), Hawaii
- 18                    Revised Statutes, as established by section 5 of this
- 19                    Act; and
- 20            (2) Any other findings and recommendations, including any
- 21                    proposed legislation.



1 SECTION 7. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 8. This Act shall take effect on July 1, 2050.



**Report Title:**

State Plan; Green Infrastructure; Office of Planning; 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, in partnership with greenhouse gas sequestration task force, to submit a report to the legislature making recommendations for implementing the green infrastructure objectives, policies, and priority guidelines. Effective 7/1/2050. (HD2)

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

