

STAND. COM. REP. NO. 267

Honolulu, Hawaii

FEB 14 2023

RE: S.B. No. 1521
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 1521 entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABLE LAND USE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to create an integrated land use plan for the State's agricultural districts;
- (2) Require the Hawaii State Energy Office, Department of Agriculture, Department of Land and Natural Resources, Department of Transportation, and Hawaii Tourism Authority to update various state functional plans; and
- (3) Require the counties to update their general plans.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Land Use Commission, Hawai'i Farmers Union United, Ulupono Initiative, Hawai'i Gas, and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development, Department of Agriculture, and Hawaii State Energy Office.



Your Committees find that Hawaii is challenged by the need to address the scarcity of land and the issue of competing uses and needs for development, production, and preservation within its agricultural districts. However, your Committees also find that as various goals and targets involving agricultural lands have been established over time--relating to land use, energy, climate, sustainability, affordable housing, food security, and water scarcity--a comprehensive and integrated review is needed to properly assess and track the State's progress in meeting its goals. Therefore, this measure requires the Office of Planning and Sustainable Development to create an integrated land use plan for the State's agricultural districts and requires certain agencies and the counties to update their respective functional plans to assist the Office in carrying out the purpose of this measure.

Your Committees have heard the testimony of the Department of Land and Natural Resources requesting that this measure's language requiring the Department to update the state functional plan on conservation be stricken, as the original conservation plan was merely a short-term planning document from 1991 that focused on budget needs. The Department testified that it currently provides reports pursuant to Act 100, Session Laws of Hawaii 1999, that would be valuable in assisting the Office of Planning and Sustainable Development to achieve the intent of this measure.

Your Committees have also heard the testimony of the Office of Planning and Sustainable Development proposing various substantive and technical amendments, including that counties should not be required to update their general plans, community plans, and other land use project proposals because they are already required for conformance with sections 226-52 and 226-58, Hawaii Revised Statutes.

Therefore, your Committees have amended this measure by:

- (1) Removing language that would have required the Department of Land and Natural Resources to update the state functional plan on conservation;
- (2) Revising the preamble language in section 1;



- (3) Codifying the integrated land use study requirements within part II of chapter 226, Hawaii Revised Statutes, rather than a new part;
- (4) Renaming the "integrated land use plan" as the "integrated land use study" for clarity, distinguishing between the integrating land use planning process and functional plan updates;
- (5) Requiring the integrated land use study to consider the 2022 state land use review of districts; Hawaii State Plan Update: Phase 1; and the soil classification study required pursuant to Act 189, Session Laws of Hawaii 2022;
- (6) Requiring the functional plan on tourism updated by the Hawaii Tourism Authority to align with the destination management action plans;
- (7) Clarifying that updates to functional plans shall align with the State's twenty-first century climate and sustainability targets;
- (8) Requiring that functional plan amendments align with the Hawaii State Plan Update: Phase 1;
- (9) Deleting language requiring the counties to update their general plans, community plans, and other land use project proposals and deleting the appropriations made to the counties for this purpose;
- (10) Adding a geographic information systems specialist (1.0 FTE) position to support the Office of Planning and Sustainable Development develop definitive data and changing the appropriation amount from \$530,000 to \$700,000 for fiscal year 2023-2024;
- (11) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

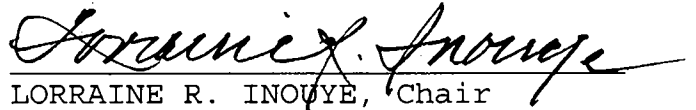


As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1521, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1521, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Agriculture and
Environment,



MIKE GABBARD, Chair

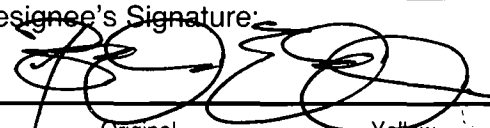


LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1521	WTL/AEN, WAM	02/10/2023		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	ϕ	ϕ	ϕ
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

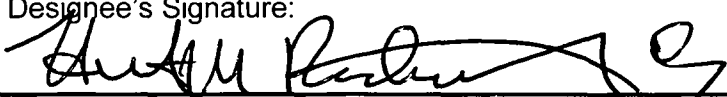
Bill / Resolution No.:* SB 1521	Committee Referral: WTL/AEN, WAM	Date: 02/10/23
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 If so, then the previous decision was to: _____

The Recommendation is:
 Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)	X			
DECOITE, Lynn	X			
RHOADS, Karl	X			
AWA, Brenton	X			
TOTAL	5			

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

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