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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 in the Hawaii State Planning Act to achieve  
15 the use of green infrastructure, vegetation, and trees  
16 in state facility systems, infrastructure, transit  
17 projects, and other areas; and

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



1 policies, and priority guidelines established by this  
2 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) Removing pollutants from the air; and

16 (4) Removing, sequestering, and storing greenhouse gas  
17 emissions.

18 (b) Planning for state facility systems, infrastructure,  
19 and transit projects shall incorporate the achievement of the  
20 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" has the same meaning as in section 103D-  
17 408."

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



1           "(b) To achieve the scenic, natural beauty, and historic  
2 resources objective, it shall be the policy of [~~this~~] the State  
3 to:

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



1       (9) Prioritize the use of Hawaiian plants where feasible  
 2       to contribute to Hawaii's historic and cultural  
 3       heritage, sense of place, biodiversity, and  
 4       resilience."

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

7       "**§226-104 Population growth [and], land resources, and**  
 8 **green infrastructure priority guidelines.** (a) Priority  
 9 guidelines to effect desired statewide growth and distribution:

- 10       (1) Encourage planning and resource management to insure  
 11       that population growth rates throughout the State are  
 12       consistent with available and planned resource  
 13       capacities and reflect the needs and desires of  
 14       Hawaii's people.
- 15       (2) Manage a growth rate for Hawaii's economy that will  
 16       parallel future employment needs for Hawaii's people.
- 17       (3) Ensure that adequate support services and facilities  
 18       are provided to accommodate the desired distribution  
 19       of future growth throughout the State.



1 (4) Encourage major state and federal investments and  
2 services to promote economic development and private  
3 investment to the neighbor islands, as appropriate.

4 (5) Explore the possibility of making available urban  
5 land, low-interest loans, and housing subsidies to  
6 encourage the provision of housing to support  
7 selective economic and population growth on the  
8 neighbor islands.

9 (6) Seek federal funds and other funding sources outside  
10 the State for research, program development, and  
11 training to provide future employment opportunities on  
12 the neighbor islands.

13 (7) Support the development of high technology parks on  
14 the neighbor islands.

15 (b) Priority guidelines for regional growth distribution  
16 and land resource utilization:

17 (1) Encourage urban growth primarily to existing urban  
18 areas where adequate public facilities are already  
19 available or can be provided with reasonable public  
20 expenditures, and away from areas where other  
21 important benefits are present, such as protection of



- 1 important agricultural land or preservation of  
2 lifestyles.
- 3 (2) Make available marginal or nonessential agricultural  
4 lands for appropriate urban uses while maintaining  
5 agricultural lands of importance in the agricultural  
6 district.
- 7 (3) Restrict development when drafting of water would  
8 result in exceeding the sustainable yield or in  
9 significantly diminishing the recharge capacity of any  
10 groundwater area.
- 11 (4) Encourage restriction of new urban development in  
12 areas where water is insufficient from any source for  
13 both agricultural and domestic use.
- 14 (5) In order to preserve green belts, give priority to  
15 state capital-improvement funds [~~which~~] that encourage  
16 location of urban development within existing urban  
17 areas except where compelling public interest dictates  
18 development of a noncontiguous new urban core.
- 19 (6) Seek participation from the private sector for the  
20 cost of building infrastructure and utilities[7] and  
21 maintaining open spaces.



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



1 the protection of the environment and the availability  
2 of the shoreline, conservation lands, and other  
3 limited resources for future generations.

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

6 (c) Priority guidelines to promote the use of green  
7 infrastructure in state facility systems, infrastructure, and  
8 transit projects:

9 (1) Design all new state facilities, infrastructure, and  
10 transit upgrades to include best practices for tree  
11 planting and other green infrastructure.

12 (2) Make provisions for maintaining trees by following  
13 Accredited Standards Committee of the Tree Care  
14 Industry Association, the ANSI A300, or similar best  
15 practice standards appropriate for Hawaii for tree  
16 care.

17 (3) Periodically revisit and modernize the design and  
18 planting around the area where trees are planted in  
19 urban areas.

20 (4) Select tree species matched to site conditions to  
21 maximize tree health.



1       (5) Select tree and vegetation species for larger size at  
2       maturity where possible to maximize environmental  
3       benefits.

4       (6) Prioritize the use of Hawaiian plants where feasible  
5       to contribute to Hawaii's historic and cultural  
6       heritage, sense of place, biodiversity, and  
7       resilience.

8       (7) Promote traffic safety with placement of foliage and  
9       trees consistent with Federal Highway Administration  
10       guidance, outside of "clear zones".

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

16       (1) Recommendations for implementing the green  
17       infrastructure objectives and policies set out by  
18       section 226- , Hawaii Revised Statutes, and the  
19       priority guidelines set out by section 226-104(c),  
20       Hawaii Revised Statutes; and



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

3           SECTION 7. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5           SECTION 8. This Act shall take effect on June 30, 3000.

6



**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, transit projects, and other areas 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. Effective 6/30/3000. (HD1)

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

