

JAN 20 2023

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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 incorporating green  
2 vegetation and trees into public infrastructure planning  
3 decreases urban temperatures, reduces carbon emissions, improves  
4 air quality, and captures water to replenish the water table.

5 The effects of climate change have made implementing sustainable  
6 design concepts more critical, as each passing year has seen  
7 increased temperatures and other impacts from climate change.

8           The legislature further finds that studies have determined  
9 that people who live in areas that have more trees and green  
10 space are less likely to have acute respiratory symptoms and are  
11 less likely to die of heart disease or respiratory disease.

12 Studies have also found that green vegetation, trees, and  
13 properly designed and well-maintained infrastructure can also  
14 produce significant improvements to mental health and have  
15 positive psychological and quality of life benefits in a  
16 community. The Walt Disney Company uses these principles in  
17 park design, including painting unsightly infrastructure, such



1 as trash cans and streetlights, a standard shade of neutral  
2 green to blend them into the surrounding environment to improve  
3 the quality of experience for visitors. The same can be done in  
4 local communities to produce similar mental health and quality-  
5 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 urban cores will increase the quality of life of  
10 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) Encouraging the removal of pollutants from the air;

17           and

18           (4) Encouraging the removal, sequestration, and storage of  
19           greenhouse gas emissions.



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1        (b) Planning for state facility systems, infrastructure,  
2 and transit projects shall incorporate the achievement of the  
3 following quality of life experience design objectives:

4        (1) Creating a visual and sound barrier to enhance the  
5 quality of life in the surrounding community;

6        (2) Incorporating as much live foliage, trees, green  
7 infrastructure, and open green space as possible, with  
8 a priority on the use of Hawaiian plants where  
9 feasible; and

10       (3) Finishing exterior exposed appurtenances and concrete  
11 surfaces not covered in foliage or green  
12 infrastructure with a standardized paint scheme to  
13 protect against weathering, blending appropriately  
14 with Hawaii's natural environment, and enhancing a  
15 Hawaii sense of place that provides for a better  
16 quality of life experience."

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

20       "Green infrastructure" means the range of measures that  
21 use plant or soil systems, including trees, permeable pavement



1 or other permeable surfaces or substrates, stormwater harvest  
2 and reuse, or landscaping to store, infiltrate, or  
3 evapotranspirate water and reduce flows to sewer systems or to  
4 surface waters.

5 "Hawaiian plants" shall have the same meaning as in section  
6 103D-408."

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

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

11 (1) Promote the preservation and restoration of  
12 significant natural and historic resources.

13 (2) Provide incentives to maintain and enhance historic,  
14 cultural, and scenic amenities.

15 (3) Promote the preservation of views and vistas to  
16 enhance the visual and aesthetic enjoyment of  
17 mountains, ocean, scenic landscapes, and other natural  
18 features.

19 (4) Protect those special areas, structures, and elements  
20 that are an integral and functional part of Hawaii's  
21 ethnic and cultural heritage.



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

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

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

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



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



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1           (1) Encourage urban growth primarily to existing urban  
2           areas where adequate public facilities are already  
3           available or can be provided with reasonable public  
4           expenditures, and away from areas where other  
5           important benefits are present, such as protection of  
6           important agricultural land or preservation of  
7           lifestyles.

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

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

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

19          (5) In order to preserve green belts, give priority to  
20          state capital-improvement funds which encourage  
21          location of urban development within existing urban



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1 areas except where compelling public interest dictates  
2 development of a noncontiguous new urban core.

3 (6) Seek participation from the private sector for the  
4 cost of building infrastructure and utilities, and  
5 maintaining open spaces.

6 (7) Pursue rehabilitation of appropriate urban areas.

7 (8) Support the redevelopment of Kakaako into a viable  
8 residential, industrial, and commercial community.

9 (9) Direct future urban development away from critical  
10 environmental areas or impose mitigating measures so  
11 that negative impacts on the environment would be  
12 minimized.

13 (10) Identify critical environmental areas in Hawaii to  
14 include but not be limited to the following: watershed  
15 and recharge areas; wildlife habitats (on land and in  
16 the ocean); areas with endangered species of plants  
17 and wildlife; natural streams and water bodies; scenic  
18 and recreational shoreline resources; open space and  
19 natural areas; historic and cultural sites; areas  
20 particularly sensitive to reduction in water and air  
21 quality; and scenic resources.



1 (11) Identify all areas where priority should be given to  
2 preserving rural character and lifestyle.

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

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

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

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

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



- 1        (3) Select tree and vegetation species for larger size at  
2                    maturity where possible to maximize environmental  
3                    benefits.
- 4        (4) Select tree species matched to site conditions to  
5                    maximize tree health.
- 6        (5) Select varied native tree and vegetation species for  
7                    biodiversity to increase resilience.
- 8        (6) 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 of its findings  
14 and recommendations for implementing the green infrastructure  
15 objectives and policies set out by section 226- , Hawaii  
16 Revised Statutes, as established by section 2 of this Act, and  
17 the priority guidelines set out by section 226-104(c), Hawaii  
18 Revised Statutes, as established by section 5 of this Act, and  
19 any proposed legislation, to the legislature no later than  
20 twenty days prior to the convening of the regular session of  
21 2024.



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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, 2023.

4

INTRODUCED BY: Mike Hubbard



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**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. Defines 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.

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

