
A BILL FOR AN ACT

RELATING TO SMART GROWTH.

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

1 SECTION 1. The legislature finds that given Hawaii's
2 limited natural resources, the implementation of smart growth
3 principles, including the preservation of open space, is crucial
4 to the sustainability of the islands. There are ten principles
5 of smart growth:

- 6 (1) Creating a range of housing opportunities and choices;
7 (2) Creating walkable neighborhoods;
8 (3) Encouraging community and stakeholder collaboration;
9 (4) Fostering distinctive, attractive communities with a
10 strong sense of place;
11 (5) Making development decisions predictable, fair, and
12 cost effective;
13 (6) Mixing land uses;
14 (7) Preserving open space, farmland, natural beauty, and
15 critical environmental areas;
16 (8) Providing a variety of transportation choices;
17 (9) Strengthening and directing development toward
18 existing communities; and



1 (10) Taking advantage of compact building design.
2 Smart growth principles are successful when government
3 makes systemic changes that are consistent with community
4 planning and development, as well as land preservation. Several
5 other states have implemented successful programs. Maryland has
6 implemented a series of legislation promoting smart growth and
7 Florida has implemented a greenways and trails program to
8 provide recreational opportunities.

9 The purpose of this Act is to promote smart growth and
10 sustainability by requiring:

- 11 (1) The department of land and natural resources to
12 establish a system of greenways and trails; and
- 13 (2) The office of planning to:
 - 14 (A) Develop and promote the use of smart growth
15 principles in new and existing communities; and
 - 16 (B) Coordinate smart growth planning with the
17 department of land and natural resources with
18 respect to the statewide greenways and trails
19 system program.

20 SECTION 2. Chapter 198D, Hawaii Revised Statutes, is
21 amended to read as follows:



"CHAPTER 198D

HAWAII STATEWIDE TRAIL ~~[AND]~~, ACCESS, AND GREENWAYS ~~[SYSTEM]~~

SYSTEMS

PART I. HAWAII STATEWIDE TRAIL AND ACCESS PROGRAM

[~~+~~] §198D-1 [~~+~~] Definitions. For the purpose of this

~~[chapter+]~~ part:

"Access" means an easement or way:

(1) Over which the general public has the right to travel;

and

(2) Which is used by the general public or intended for use by the general public primarily to reach or depart a public beach, shore, park, trail, or other public recreational area.

It includes a lateral easement along the shoreline, coastline, or beach.

"Department" means the department of land and natural resources.

"Trail" means an identifiable linear course used primarily for or used to get a recreational, educational, or inspirational experience. It includes, but is not limited to:

(1) A corridor trail, which is a designated route, segregated from a highway, providing a continuous



1 linkage between or among major urban areas, fragmented
2 accesses, and major trail areas;

3 (2) A segment or connector trail, which is a designated
4 route from one locale to another; and

5 (3) A special use trail, which is a designated course for
6 a special activity or function.

7 **§198D-2 Establishment of Hawaii statewide trail and access**

8 **program.** (a) There is established the Hawaii statewide trail
9 and access program, to be known as Na Ala Hele. The department
10 [~~of land and natural resources~~] shall plan, develop, acquire
11 land or rights for public use of land, construct, restore, and
12 engage in coordination activities to implement the program in
13 accordance with this chapter.

14 (b) The trail and access program shall use funding for the
15 management, maintenance, and development of trails and trail
16 accesses under the jurisdiction of the department from the
17 following sources:

18 (1) A portion of the highway fuel taxes collected under
19 chapter 243;

20 (2) Federal government grants;

21 (3) Private contributions;



1 (4) Fees, established pursuant to administrative rules and
2 charged by the department for the commercial and other
3 use of trails and trail accesses under the
4 jurisdiction of the department; and

5 (5) Transient accommodations tax revenues pursuant to
6 section 237D-6.5.

7 (c) The moneys specified in subsection (b)(2) shall be
8 deposited in the state treasury; provided that moneys received
9 as deposits or contributions from the federal government shall
10 be accounted for in accordance with the conditions established
11 by the agencies making the contribution.

12 (d) The moneys specified in subsection (b)(1), (3), (4),
13 and (5) shall be deposited in the special land and development
14 fund under section 171-19 for the management, maintenance, and
15 development of trails and trail accesses under the jurisdiction
16 of the department; provided that the moneys specified in
17 subsection (b)(5) shall be expended for the management,
18 maintenance, and development of trails and access areas
19 frequented by visitors in response to a master plan developed in
20 coordination with the Hawaii tourism authority.

21 **§198D-3 Inventory.** (a) The department shall establish,
22 maintain, and amend, as required, an inventory of all trails and



1 accesses in the [~~State,~~] state, whether wholly or partly on
2 public or private lands and whether or not under the
3 jurisdiction of the department, and a separate inventory of all
4 trails and accesses to public hunting areas in the [~~State,~~]
5 state. The inventories shall include:

- 6 (1) Maps and lists of all trails and accesses;
 - 7 (2) Name and length of each trail or access;
 - 8 (3) The person or agency having management responsibility
9 for each trail or access;
 - 10 (4) The predominant transportation mode for each trail or
11 access;
 - 12 (5) The development standard, condition, and grade of each
13 trail and access;
 - 14 (6) The description of amenities or other features on or
15 in close proximity to each trail or access;
 - 16 (7) The status of availability to the general public of
17 each trail or access; and
 - 18 (8) Other information for each trail or access deemed
19 necessary or desirable by the department.
- 20 (b) The department shall publish and periodically update
21 documents, which shall be available to the general public. The
22 documents shall contain that portion of the inventories which



1 include trails and accesses available for the use of the general
2 public. The department may charge an appropriate fee for the
3 documents and any updates.

4 **§198D-4 Classification.** The department shall classify
5 each trail and access in the inventories according to the
6 following:

- 7 (1) Function;
- 8 (2) Type;
- 9 (3) Theme;
- 10 (4) Actual and desired use intensity; and
- 11 (5) Any other classification deemed necessary or desirable
12 by the department.

13 **§198D-5 Identification of proposed, potential, and needed**
14 **trails and accesses.** (a) In addition to the inventories under
15 section 198D-3, the department shall identify and maintain a
16 listing of:

- 17 (1) Proposed trails and accesses which may be opened to
18 the public;
- 19 (2) Potential expansions of trails and accesses;
- 20 (3) Potential or desirable connectors between existing
21 trail systems;



1 (4) Public beach, shore, park, trail, and other
2 recreational areas to which access is unavailable or
3 inadequate; and

4 (5) Trails and accesses to public hunting areas.

5 (b) The listing may be published in the inventories
6 required under section 198D-3.

7 **§198D-6 Regulation of use of trails and accesses.** The
8 department, by rule adopted in accordance with chapter 91, may
9 regulate the use of trails and accesses under the department's
10 jurisdiction. Regulation of the use of trails and accesses
11 shall be established for the following purposes:

12 (1) To preserve the integrity, condition, naturalness, or
13 beauty of the trails or accesses;

14 (2) To protect the public safety; or

15 (3) To restrict or regulate public access to protected or
16 endangered wildlife habitats, except for scientific or
17 educational purposes.

18 ~~[+]~~ **§198D-7 [+]** **Examination of legal issues.** The
19 department, in consultation with the attorney general, shall
20 examine legal issues relating to trails and accesses. The legal
21 issues examined shall include:



- 1 (1) Theories, options, and doctrines by which trails and
2 accesses may be placed into or retained in public use;
- 3 (2) The validity and feasibility of dedication
4 requirements to obtain public use of trails and
5 accesses;
- 6 (3) The extent of liability exposure of the State,
7 counties, and private landowners when allowing trails
8 and accesses under their respective jurisdictions to
9 be used by the general public; and
- 10 (4) Strategies to reduce or limit the liability exposure
11 of the State, counties, and private landowners [~~in~~
12 ~~order~~] to promote public use of trails and accesses
13 under their respective jurisdictions which are closed
14 to the general public.

15 **§198D-7.5 Agreements to defend and indemnify.** (a) The
16 department may enter into agreements with owners of public or
17 private land to further the purposes of this [~~chapter-~~] part.
18 Agreements between the State and an owner may provide that the
19 State will defend the owner, its affiliates, and their
20 respective heirs, executors, administrators, representatives,
21 successors, trustees, guardians, assigns, lessees, officers,



1 directors, stockholders, employees, agents, and partners, from
2 claims made by public users of the owner's land.

3 (b) These agreements may also provide that the State will
4 indemnify the owner, its affiliates, and their respective heirs,
5 executors, administrators, representatives, successors,
6 trustees, guardians, assigns, lessees, officers, directors,
7 stockholders, employees, agents, and partners, for property
8 losses incurred due to public use, subject to the following
9 provisions:

- 10 (1) The attorney general may review any claim;
- 11 (2) The attorney general may refer a claim associated with
12 property loss to the chairperson of the board of land
13 and natural resources for informal resolution subject
14 to the terms of an agreement;
- 15 (3) All claims of property loss that are subject to the
16 terms of an agreement shall be reviewed in the first
17 instance by the chairperson for resolution as provided
18 for in an agreement. The chairperson may compromise
19 or settle claims for property loss from the trail and
20 access program special funds for an amount not
21 exceeding \$10,000 per fiscal year, and the chairperson



1 may pay claims for property loss up to this amount
2 without the review of the attorney general;

3 (4) Upon referral by the chairperson, the attorney
4 general, in the attorney general's discretion, shall
5 make determinations of whether a claim for property
6 loss would or would not be subject to the terms of an
7 agreement; and

8 (5) Claims greater than \$10,000 per fiscal year shall be
9 subject to appropriation and allotment.

10 (c) The existence of an agreement does not allow an action
11 to be brought against the State. The State shall not be made a
12 party in any action solely because of the existence of an
13 agreement to defend or indemnify. Any action defended by the
14 State pursuant to an agreement shall be deemed an action against
15 the owner, and the State may assert all defenses available to
16 the owner, its affiliates, and their respective heirs,
17 executors, administrators, representatives, successors,
18 trustees, guardians, assigns, lessees, officers, directors,
19 stockholders, employees, agents, and partners.

20 (d) If the agreement provides for indemnification by the
21 State, no judgment shall be executed against an owner, its
22 affiliates, and their respective heirs, executors,



1 administrators, representatives, successors, trustees,
2 guardians, assigns, lessees, officers, directors, stockholders,
3 employees, agents, and partners, until the legislature has
4 reviewed and approved the judgment.

5 **[+]** §198D-7.6 **[+]** **Limitation on liability.** The State shall
6 not be liable for any injury to any person arising from the
7 person's use of unimproved lands owned or controlled by the
8 State and regulated under section 198D-6, unless the injury
9 results from gross negligence on the part of the State.

10 **§198D-8 Request to acquire rights for public use of**
11 **additional trails and accesses.** The department may request the
12 legislature for appropriations to acquire rights to trails and
13 accesses which are closed to public use or which are necessary
14 to effectuate the trail and access program.

15 **§198D-9 Other powers and duties of department.** The
16 department:

- 17 (1) May establish signing and design standards for
18 classifications of trails and accesses;
- 19 (2) Shall establish advisory councils to solicit advice
20 and assistance in the implementation of the trail and
21 access program. The appointment of members to
22 advisory councils shall be made by the department. If



1 advisory councils are established, the members of the
2 advisory councils shall serve part-time and shall not
3 be compensated for official duties performed.

4 Advisory councils may be established on regional,
5 islandwide, countywide, or statewide bases. The
6 statewide council shall include representatives of
7 motorized, as well as nonmotorized trail users;

8 (3) Shall serve as the centralized information agency for
9 matters relating to the trail and access program;

10 (4) Shall coordinate its activities under this [~~chapter,~~]
11 part, including its compilation of the inventories and
12 classifications of trails and accesses, with other
13 public agencies;

14 (5) Shall advise and, when able, assist other public
15 agencies in the development, construction, operation,
16 maintenance, and regulation of trails and accesses
17 under the other agencies' jurisdiction;

18 (6) Shall advocate before the legislature, governor, and
19 public agencies, for the implementation of the trail
20 and access program; and

21 (7) Shall submit an annual report to the governor and
22 legislature on activities engaged in under this



1 chapter; provided that the annual report shall include
2 a comprehensive description of the status of the trail
3 and access program and the financial information
4 specified in section 198D-2(b).

5 ~~[†]~~ §198D-10 ~~[†]~~ **Limitation on chapter's provisions.** (a)

6 Nothing in this ~~chapter~~ part shall be construed as conferring
7 or imposing upon the department any rights, powers, and duties
8 over:

- 9 (1) Lands not under its jurisdiction; or
10 (2) The activities of other public agencies; except if
11 provided by other law or agreement.

12 (b) The designation as part of the statewide trail and
13 access system of trails and accesses, the use to which the
14 public has no rights, shall not be construed as establishing
15 public rights to use those trails and accesses.

16 ~~[†]~~ §198D-11 ~~[†]~~ **Rules.** The department may adopt rules in
17 accordance with chapter 91 for the purposes of this ~~chapter~~
18 part.

19 ~~[†]~~ §198D-12 ~~[†]~~ **General administrative penalties.** (a)
20 Except as otherwise provided by law, the board or its authorized
21 representative by proper delegation may set, charge, and collect
22 administrative fines or bring legal action to recover



1 administrative fees and costs as documented by receipts or
2 affidavit, including attorneys' fees and costs; or bring legal
3 action to recover administrative fines, fees, and costs,
4 including attorneys' fees and costs, or payment for damages or
5 for the cost to correct damages resulting from a violation of
6 this [~~chapter~~] part or any rule adopted pursuant to this
7 [~~chapter~~] part. The administrative fines shall be as follows:

- 8 (1) For a first violation, a fine of not more than \$2,500;
9 (2) For a second violation within five years of a previous
10 violation, a fine of not more than \$5,000; and
11 (3) For a third or subsequent violation within five years
12 of the last violation, a fine of not more than
13 \$10,000.

14 (b) Any criminal action against a person for any violation
15 of this [~~chapter~~] part or any rule adopted pursuant to this
16 [~~chapter~~] part shall not be deemed to preclude the State from
17 pursuing civil legal action to recover administrative fines and
18 costs against that person. Any civil legal action against a
19 person to recover administrative fines and costs for any
20 violation of this [~~chapter~~] part or any rule adopted pursuant to
21 this [~~chapter~~] part shall not be deemed to preclude the State
22 from pursuing any criminal action against that person.



1 ~~[§]~~198D-13~~[§]~~ **Criminal penalties.** (a) In addition to
2 any other penalties, any person violating this ~~[chapter,]~~ part,
3 any rule adopted pursuant to this ~~[chapter,]~~ part, or the terms
4 and conditions of any permit issued in accordance with this
5 ~~[chapter]~~ part shall be guilty of a petty misdemeanor and shall
6 be fined not less than:

7 (1) \$100 for a first offense;

8 (2) \$200 for a second offense; and

9 (3) \$500 for a third or subsequent offense.

10 (b) The fines specified in this section shall not be
11 suspended or waived. Each day of each violation shall
12 constitute a separate offense.

13 (c) Any criminal action against a person for any violation
14 of this ~~[chapter]~~ part or any rule adopted pursuant to this
15 ~~[chapter]~~ part shall not be deemed to preclude the State from
16 pursuing civil legal action to recover administrative fines and
17 costs against that person. Any civil legal action against a
18 person to recover administrative fines and costs for any
19 violation of this ~~[chapter]~~ part or any rule adopted pursuant to
20 this ~~[chapter]~~ part shall not be deemed to preclude the State
21 from pursuing any criminal action against that person.



1 PART II. STATEWIDE GREENWAYS AND TRAILS SYSTEM

2 §198D-A Definitions. For the purpose of this part:

3 "Greenway" means a linear open space established along
4 either a natural corridor, such as a riverfront, stream valley,
5 or ridgeline, or a canal, scenic road, or other route; any
6 natural or landscaped course for pedestrian or bicycle passage;
7 an open space connector linking parks, nature reserves, cultural
8 features, or historic sites with each other and populated areas;
9 or a local strip or linear park designated as a parkway or
10 greenbelt.

11 "Trails" means linear corridors and any adjacent support
12 parcels on land or water providing public access for recreation
13 or authorized alternative modes of transportation.

14 §198D-B Establishment. (a) The department shall develop
15 a statewide greenways and trails system that shall consist of
16 individual greenways and trails and networks of greenways and
17 trails. Mapping or other forms of identification of lands and
18 waterways suitable for inclusion in the system of greenways and
19 trails, mapping of ecological characteristics for any purpose,
20 or development of information for planning purposes shall not
21 constitute designation. No lands or waterways may be designated



1 as part of the statewide greenways and trails system without the
2 specific written consent of the landowner.

3 (b) Planning materials, maps, data, and other information
4 developed or used in the program shall not be construed as
5 designation of lands as part of the statewide greenways and
6 trails system. Identification of lands in such information
7 shall not:

8 (1) Require or empower any state or county agency to
9 impose additional or more restrictive environmental,
10 land use, or zoning laws, ordinances, or rules;

11 (2) Be construed to adopt, enforce, or amend any
12 environmental law, ordinance, or rule; comprehensive
13 plan goals, policies, or objectives; or zoning or land
14 use ordinance or law;

15 (3) Be used as the basis for permit denial, imposition of
16 any permit condition, or application of any law,
17 ordinance, or rule by any subdivision of state or
18 county government; or

19 (4) Be construed by any governmental agency to reduce or
20 restrict the rights of owners and lands identified.

21 §198D-C Coordination. The department shall coordinate
22 with state or county agencies that may be impacted by the



1 designation of lands in the statewide greenways and trails
2 system. The department shall also coordinate with the office of
3 planning for purposes of smart growth planning.

4 §198D-D Rules. The department may adopt rules pursuant to
5 chapter 91 necessary to implement the statewide greenways and
6 trails system."

7 SECTION 3. Chapter 225M, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§225M- Smart growth coordination. (a) The office of
11 planning shall coordinate efforts to incorporate the principles
12 of smart growth in new and existing communities in the state,
13 including:

14 (1) Gathering and disseminating information to the public,
15 including the counties, nonprofit organizations, and
16 developers, on how to develop projects that are
17 consistent with the principles of smart growth;

18 (2) Providing a single point of access for individuals or
19 organizations that need assistance or guidance in
20 navigating the processes and regulations of the state
21 agencies on projects that are consistent with the
22 principles of smart growth; and



1 (3) Coordinating the efforts of the governor and executive
2 branch to provide input to the legislature on
3 legislation that concerns smart growth and
4 neighborhood conservation.

5 (b) The principles of smart growth are:

6 (1) Creating a range of housing opportunities and choices;

7 (2) Creating walkable neighborhoods;

8 (3) Encouraging community and stakeholder collaboration;

9 (4) Fostering distinctive, attractive communities with a
10 strong sense of place;

11 (5) Making development decisions predictable, fair, and
12 cost effective;

13 (6) Mixing land uses;

14 (7) Preserving open space, farmland, natural beauty, and
15 critical environmental areas;

16 (8) Providing a variety of transportation choices;

17 (9) Strengthening and directing development toward
18 existing communities; and

19 (10) Taking advantage of compact building design.

20 (c) The office of planning shall submit annual reports to
21 the legislature no later than twenty days prior to the convening
22 of each regular session on the activities of the office and the



1 implementation of smart growth projects in the preceding
2 calendar year."

3 SECTION 4. Section 225M-1, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§225M-1 Purpose. The purpose of this chapter is to
6 establish an office of planning to assist the governor and the
7 director of business, economic development, and tourism in
8 maintaining an overall framework to guide the development of the
9 State through a continuous process of comprehensive, long-range,
10 and strategic planning to meet the physical, economic, and
11 social needs of Hawaii's people, and provide for the wise use of
12 Hawaii's resources in a coordinated, efficient, and economical
13 manner, including the conservation of those natural,
14 environmental, recreational, scenic, historic, and other limited
15 and irreplaceable resources which are required for future
16 generations.

17 The establishment of an office of planning in the
18 department of business, economic development, and tourism, for
19 administrative purposes, is intended to:

20 (1) Fix responsibility and accountability to successfully
21 carry out statewide planning programs, policies, and
22 priorities;



- 1 (2) Improve the efficiency and effectiveness of the
- 2 operations of the executive branch; ~~and~~
- 3 (3) Ensure comprehensive planning and coordination to
- 4 enhance the quality of life of the people of
- 5 Hawaii ~~[]~~; and
- 6 (4) Develop and promote the use of smart growth principles
- 7 in new and existing communities."

8 SECTION 5. Section 225M-2, Hawaii Revised Statutes, is

9 amended by amending subsection (b) to read as follows:

10 "(b) The office of planning shall gather, analyze, and

11 provide information to the governor to assist in the overall

12 analysis and formulation of state policies and strategies to

13 provide central direction and cohesion in the allocation of

14 resources and effectuation of state activities and programs and

15 effectively address current or emerging issues and

16 opportunities. More specifically, the office shall engage in

17 the following activities:

- 18 (1) State comprehensive planning and program coordination.
- 19 Formulating and articulating comprehensive statewide
- 20 goals, objectives, policies, and priorities, and
- 21 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] state
15 as 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-
22 date geospatial data resource that can be drawn



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

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

17 (5) Land use planning. Developing and presenting the
18 position of the State in all boundary change petitions
19 and proceedings before the land use commission,
20 assisting state agencies in the development and
21 submittal of petitions for land use district boundary
22 amendments, and conducting periodic reviews of the



- 1 classification and districting of all lands in the
2 [~~State,~~] state, as specified in chapter 205;
- 3 (6) Coastal and ocean policy management. Carrying out the
4 lead agency responsibilities for the Hawaii coastal
5 zone management program, as specified in chapter 205A.
6 Also, developing and maintaining an ocean and coastal
7 resources information, planning, and management system
8 further developing and coordinating implementation of
9 the ocean resources management plan, and formulating
10 ocean policies with respect to the exclusive economic
11 zone, coral reefs, and national marine sanctuaries;
- 12 (7) Regional planning and studies. Conducting plans and
13 studies to determine:
- 14 (A) The capability of various regions within the
15 [~~State~~] state to support projected increases in
16 both resident populations and visitors;
- 17 (B) The potential physical, social, economic, and
18 environmental impact on these regions resulting
19 from increases in both resident populations and
20 visitors;



1 (C) The maximum annual visitor carrying capacity for
2 the [State] state by region, county, and island;
3 and

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

7 The studies in subparagraphs (A) to (C) shall be
8 conducted at appropriate intervals, but not less than
9 once every five years; [and]

10 (8) Smart growth. Developing, planning, and coordinating
11 the implementation of smart growth principles,
12 including infill development;

13 (9) Statewide greenways and trails system. Coordinating
14 with the department of land and natural resources for
15 purposes of smart growth planning as it relates to the
16 statewide greenways and trails system program
17 developed pursuant to section 198D-C; and

18 [~~8~~] (10) Regional, national, and international planning.
19 Participating in and ensuring that state plans,
20 policies, and objectives are consistent, to the extent
21 practicable, with regional, national, and
22 international planning efforts."



H.B. NO. 2527

1 SECTION 6. In codifying the new sections added by section
 2 2 of this Act, the revisor of statutes shall substitute
 3 appropriate section numbers for the letters used in designating
 4 the new sections in this Act.

5 SECTION 7. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 8. This Act shall take effect on July 1, 2008.
 8

INTRODUCED BY:

[Handwritten signatures and names of legislators]

Kiril Caldwell
Karl Moor
Maui B. Lee
Ken Auman
Lang Wu
Mark N.
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Norman Snow

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JAN 18 2008

Report Title:

Smart Growth; Land Preservation; Greenways and Trails

Description:

Requires the Department of Land and Natural Resources to establish a system of greenways and trails. Requires the Office of Planning to coordinate smart growth planning.

