

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 2527
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred H.B. No. 2527, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMART GROWTH,"

begs leave to report as follows:

The purpose of this measure is to promote smart growth principles and sustainability by establishing a system of greenways and trails, and allowing for the coordination of smart growth planning in the State.

Specifically, this measure:

- (1) Amends chapter 198D, Hawaii Revised Statutes, by requiring the Department of Land and Natural Resources to establish a statewide greenways and trails system; and
- (2) Amends chapter 225M, Hawaii Revised Statutes, by requiring the Office of Planning to coordinate efforts to incorporate the principles of smart growth in new and existing communities in the State.

Testimony in support of this measure was submitted by the Hawaii Association of Realtors and the Windward Ahupua'a Alliance. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources. Comments were submitted



by the Office of Planning; the Department of Planning and Permitting, City and County of Honolulu; and one private individual.

Your Committee finds that given Hawaii's limited natural resources, the implementation of smart growth principles is crucial to the sustainability of the State. Smart growth principles are successful when government agencies make combined and coordinated systematic changes that are consistent with community planning and development, and land preservation.

Although your Committee recognizes that establishing a greenways and trails system creates and ensures a more sustainable future for the State, it also recognizes that requiring the Department of Land and Natural Resources to establish a system of greenways and trails under chapter 198D, Hawaii Revised Statutes, relating to the Na Ala Hele program may not appropriate. Instead, your Committee believes that a coordinated, combined effort of government agencies is needed to develop a plan to establish a statewide greenways and trails system.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that requires the Department of Land and Natural Resources to establish a statewide greenways and trails system;
- (2) Inserting the contents of S.B. No. 2832, S.D. 1, which requires the State, in a combined effort with all state departments and agencies to develop and maintain sustainable communities that will:
 - (A) Generate at least fifty per cent of all of the energy requirements for the entire community under development, including but not limited to, residential homes and areas and services for and used by the entire community under development, primarily from alternative energy sources;
 - (B) Implement a comprehensive recycling program that will enable the community to divert at least seventy-five per cent of its solid waste from the landfills;



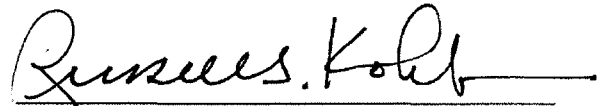
- (C) Implement an extensive community wastewater recycling and treatment management system that would enable the community under development to treat and recycle all of its wastewater for landscaping water requirements onsite of the community and any agricultural water irrigation requirements offsite of the community;
 - (D) Implement an extensive water conservation management plan that would enable the community under development to conserve water by using various methods, including but not limited to rain water harvesting to use for landscaping, non-potable uses, and low flow toilets and showers;
 - (E) Protect and preserve open space by designating at least fifty per cent of the entire tract of land for the residential community for open space; provided that open space shall not include areas designated for golf courses; and provided further that open space shall include the shoreline, if the planned community abuts and includes shoreline space;
 - (F) Promote and encourage visitation to any nearby cultural or historical sites, public beaches, shores, trails, and other outdoor recreational areas by not restricting public access to these areas; and
 - (G) Provide affordable housing units by designating and reserving at least thirty per cent of all of its residential units within the planned community for affordable housing units for residents to enable them to stay in Hawaii and provide shelter for their families;
- (3) Adding language that requires the Office of Planning to develop a plan to establish a statewide system for greenways and trails by:
- (A) Coordinating and consulting with the Department of Transportation and the Department of Land and Natural Resources;



- (B) Seeking input from the counties;
 - (C) Investigating and exploring other jurisdictions that have established and implemented a greenways and trails system;
 - (D) Investigating the use of transportation enhancement funds to establish and implement a statewide greenways and trails system; and
 - (E) Establishing a timeline in implementing a greenways and trails system;
- (4) Inserting an effective date of July 1, 2050 to ensure further discussion on this matter; and
 - (5) Making technical, nonsubstantive and conforming amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2527, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2527, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,



RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2527 HD1	CPH, WAm	3-18-08		
<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
KOKUBUN, Russell S. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman				✓
TANIGUCHI, BRIAN T.				✓
TRIMBLE, Gordon	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">David Y. Ige</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes