

Honolulu, Hawaii

FEB 14 2008

RE: S.B. No. 2832
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 S.B. No. 2832 entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABILITY,"

begs leave to report as follows:

The purpose of this measure is to support and further the
efforts in achieving a sustainable future for Hawaii by developing
and establishing sustainable communities in the State.

The measure proposes to establish a new chapter within
Title 13, Hawaii Revised Statutes, the purpose of which is to
maintain and preserve a healthy quality of life and environment
for Hawaii's future generations. The measure requires the State,
in a combined effort with all state departments and agencies to
develop and maintain sustainable communities that will:

- (1) 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;
- (2) 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;



- (3) 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;
- (4) 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;
- (5) 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:
 - (A) Open space shall not include areas designated for golf courses; and
 - (B) Open space shall include the shoreline, if the planned community abuts and includes shoreline space;
- (6) 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
- (7) 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.

Testimony in support of this measure was submitted by one individual. Testimony in opposition to this measure was submitted by the Department of Business, Economic Development, and Tourism, The Chamber of Commerce of Hawaii, the Building Industry Association - Hawaii, and the Land Use Research Foundation of Hawaii. The Department of Land and Natural Resources submitted comments.



Hawaii is a unique and beautiful State that is largely dependent on the importation of fuel, food, and supplies to sustain its economy and communities. In 2005, the Legislature enacted Act 8, Special Session Laws of Hawaii 2005, to establish the Hawaii 2050 Sustainability Task Force. The interest in the concept of sustainability has grown through the efforts of the Task Force; state and county departments and agencies; branches of the United States military; local businesses and community groups; and community engagement programs and projects. Private industries and developers have introduced technology and concepts that can assist communities in their efforts to become more sustainable and independent with minimal detrimental effects to the environment and the economy.

Of particular note, the soldier and family housing developments at Schofield Barracks in Wahiawa have merged the concept of sustainability with community development. The residential developments that are currently being constructed are able to generate thirty per cent of their energy operation requirements, and their construction plans have incorporated Leadership in Energy and Environment Design (LEED) principles. Furthermore, the wastewater treatment system of the residential developments is designed to R1 control zone standards, and ninety-seven per cent of the materials from the demolition of the previous residential homes have been recycled.

Your Committee finds that sustainability has transformed from the conceptual stage to an actual lifestyle that can be achieved, but only through a comprehensive joint effort with the government and the community. Establishing and supporting the development of sustainable communities in the State fulfills the intent of this measure, which is to support and further the efforts in achieving a sustainable future for Hawaii.

Your Committee has amended this measure by inserting an effective date of July 1, 2050 to encourage and ensure continued discussion on this matter by the Committee on Ways and Means.

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 S.B. No. 2832, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2832, 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



