

STAND. COM. REP. NO. 2840

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2832

S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2832, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABILITY,"

begs leave to report as follows:

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

Specifically, this measure requires the State in a combined effort with all state departments and agencies to develop and maintain sustainable communities that will:

- (1) Generate, primarily through alternative energy sources, at least fifty per cent of all of the energy requirements for the entire community under development, including residential homes, and areas and services used by the entire community;
- (2) Implement a comprehensive recycling program to divert at least seventy-five per cent of the entire community's solid waste from landfills;
- (3) Implement an extensive community wastewater recycling and treatment management system to treat and recycle the entire community's wastewater for landscaping and other agricultural irrigation requirements offsite;



- (4) Implement an extensive water conservation management plan for the entire community to conserve water through various methods, including rain water harvesting;
- (5) Designate at least fifty per cent of the entire tract of land for the residential community for open space; provided that open space does not include designated golf courses or the shoreline if the community abuts and includes shoreline space;
- (6) Grant public access to nearby cultural or historical sites, public beaches, shores, trails, or other recreational areas; and
- (7) Reserve at least thirty per cent of its residential units within the residential community for affordable housing.

The Department of Business, Economic Development, and Tourism, the Chamber of Commerce of Hawaii, and one individual submitted testimony in opposition to this measure. The Commission on Water Resource Management of the Department of Land and Natural Resources submitted comments.

Your Committee finds that sustainability can be achieved through the cooperative and coordinated efforts of interested parties, state and county government, businesses, and community groups. This measure establishes a framework through which future residential communities can be planned and developed with the goal of sustainability from their inception. However, your Committee recognizes that a number of issues remain to be resolved on this important initiative. Accordingly, your Committee has retained the effective date of July 1, 2050, to encourage continued discussion among affected stakeholders.

Upon further consideration, your Committee has amended this measure by:

- (1) Including in the findings of the measure an example of sustainability concepts being successfully implemented in an existing community;
- (2) Clarifying the process that a developer may use to access incentives for building sustainable residential community developments;



- (3) Clarifying the applicability of the measure to state departments and agencies authorized to grant permits;
- (4) Clarifying the duties and responsibilities of the ad hoc development committee;
- (5) Clarifying the composition of the ad hoc development advisory committee by deleting the energy resources coordinator of the Hawaii housing finance and development corporation or designee and adding the deputy for water resource management of the department of land and natural resources or the deputy's designee and the executive director of the Hawaii housing finance and development corporation or the executive director's designee;
- (6) Conditioning the occupancy of a completed residential community upon the approval of the energy resources coordinator; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2832, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2832, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
ROSALYN H. BAKER, Chair



