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## A BILL FOR AN ACT

RELATING TO THE OFFICE OF PLANNING.

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

1           SECTION 1. The legislature finds that not only is climate  
2 change real, but it is the paramount challenge of the twenty-  
3 first century. Climate change poses immediate and long-term  
4 threats to the State's economy, sustainability, security, and  
5 way of life.

6           The legislature further finds that the purpose of the  
7 office of planning is intended to:

8           (1) Fix responsibility and accountability to successfully  
9 carry out the statewide planning programs, policies,  
10 and priorities;

11          (2) Improve the efficiency and effectiveness of the  
12 operations of the executive branch; and

13          (3) Ensure comprehensive planning and coordination to  
14 enhance the quality of life of the people of Hawaii.

15 Most importantly, the legislature finds as the office of  
16 planning is tasked with statewide planning, the office has the



1 capability to view complex challenges and response needs at a  
2 comprehensive level.

3       The legislature additionally finds that in 2011 and 2012,  
4 sustainability and climate change adaptation priority guidelines  
5 were added to part III of the Hawaii State Planning Act, chapter  
6 226, Hawaii Revised Statutes. Priority guidelines focus on  
7 state and county resources on major areas of statewide concern  
8 that merit priority attention to improve the quality of life for  
9 Hawaii's present and future population through the pursuit of  
10 desirable courses of action. The sustainability and climate  
11 change adaptation priority guidelines serve as guiding policies  
12 for adapting to the expected impacts of climate change to ensure  
13 a sustainable future for Hawaii through the existing  
14 implementation provisions of the Hawaii State Planning Act,  
15 which include guiding all major state and county activities,  
16 programs, budgetary, land use, and other decision making  
17 processes, and county general plans and development plans,  
18 pursuant to part II of the Hawaii State Planning Act.

19       Act 181, Session Laws of Hawaii 2011, codified as section  
20 226-108, Hawaii Revised Statutes, established sustainability as  
21 a state priority guideline within the Hawaii State Planning Act



1 to ensure a coordinated and coherent approach to fulfilling the  
2 long-range vision for a sustainable Hawaii. Addressing and  
3 solving issues critical to Hawaii's way of life and natural  
4 resources require coordinated community efforts to produce  
5 comprehensive, long-range planning policies and actions.

6 Hawaii's sustainability priority guidelines and principles  
7 include:

- 8 (1) Encouraging balanced, economic, social, community, and  
9 environmental priorities;
- 10 (2) Encouraging planning that respects and promotes living  
11 within the natural resources and limits of the State;
- 12 (3) Promoting a diversified and dynamic economy;
- 13 (4) Encouraging respect for the host culture;
- 14 (5) Promoting decisions based on meeting the needs of the  
15 present without compromising the needs of future  
16 generations;
- 17 (6) Considering the principals of the ahupa'a system; and
- 18 (7) Emphasizing that everyone, including individuals,  
19 families, communities, businesses, and government, has  
20 the responsibility of achieving a sustainable Hawaii.



1           In August 2011, in the office of planning's coastal zone  
2 management program's course of implementing the legislatively-  
3 mandated ocean resources management plan, the multi-stakeholder  
4 plan and policy group recognized a need for policy guidance to  
5 frame and effectuate a coordinated effort to adapt to the  
6 expected impacts of climate change. The results from this  
7 multi-stakeholder group and input from the broader community  
8 became the foundation for Act 286, Session Laws of Hawaii 2012.

9           Act 286, Session Laws of Hawaii 2012, codified as section  
10 226-109, Hawaii Revised Statutes, created climate change  
11 adaptation priority guidelines in the Hawaii State Planning Act,  
12 encouraging collaboration to address climate change and  
13 recognizing that climate change will impact the following:  
14 agriculture; conservation lands; coastal and nearshore marines  
15 areas; natural and cultural resources; education; energy; higher  
16 education; health; historic preservation; water resources; the  
17 built environment, such as housing, recreation, and  
18 transportation; and the economy.

19           Act 146, Session Laws of Hawaii 2019, codified the Hawaii  
20 2050 sustainability plan in the Hawaii State Planning Act as  
21 Section 226-65, Hawaii Revised Statutes. This established a



1 stronger policy framework for Hawaii's sustainability efforts by  
2 incorporating sustainability coordination and planning into the  
3 duties of the office of planning. The Hawaii 2050  
4 sustainability plan was amended to serve as the State's climate  
5 and sustainability action plan to determine future actions  
6 guiding the coordination and implementation of Hawaii's  
7 sustainability and climate adaptation goals, principles, and  
8 policies, and to define and implement state goals, objectives,  
9 and priority guidelines using the Hawaii State Planning Act and  
10 the Hawaii Climate Change Mitigation and Adaptation Initiative  
11 as guiding principles.

12 The legislature finds that the office of planning is the  
13 appropriate state agency for climate change and sustainability,  
14 as well as coastal and land use planning and coordination for  
15 the State of Hawaii.

16 The purpose of this Act is to update and reaffirm the role  
17 and responsibilities of the office of planning to coordinate  
18 among state agencies regarding climate change adaptation and  
19 sustainability.

20 SECTION 2. Section 225M-2, Hawaii Revised Statutes, is  
21 amended by amending subsection (b) to read as follows:



1           "(b) The office of planning shall gather, analyze, and  
2 provide information to the governor to assist in the overall  
3 analysis and formulation of state policies and strategies to  
4 provide central direction and cohesion in the allocation of  
5 resources and effectuation of state activities and programs and  
6 effectively address current or emerging issues and  
7 opportunities. More specifically, the office shall engage in  
8 the following activities:

9           (1) State comprehensive planning and program coordination.  
10           Formulating and articulating comprehensive statewide  
11           goals, objectives, policies, and priorities, and  
12           coordinating their implementation through the  
13           statewide planning system established in part II of  
14           chapter 226;

15           (2) Strategic planning. Identifying and analyzing  
16           significant issues, problems, and opportunities  
17           confronting the State, and formulating strategies and  
18           alternative courses of action in response to  
19           identified problems and opportunities by:



- 1 (A) Providing in-depth policy research, analysis, and  
2 recommendations on existing or potential areas of  
3 critical state concern;
- 4 (B) Examining and evaluating the effectiveness of  
5 state programs in implementing state policies and  
6 priorities;
- 7 (C) Monitoring through surveys, environmental  
8 scanning, and other techniques--current social,  
9 economic, and physical conditions and trends; and
- 10 (D) Developing, in collaboration with affected public  
11 or private agencies and organizations,  
12 implementation plans and schedules and, where  
13 appropriate, assisting in the mobilization of  
14 resources to meet identified needs;
- 15 (3) Planning coordination and cooperation. Facilitating  
16 coordinated and cooperative planning and policy  
17 development and implementation activities among state  
18 agencies and between the state, county, and federal  
19 governments, by:
- 20 (A) Reviewing, assessing, and coordinating, as  
21 necessary, major plans, programs, projects, and



- 1 regulatory activities existing or proposed by  
2 state and county agencies;
- 3 (B) Formulating mechanisms to simplify, streamline,  
4 or coordinate interagency development and  
5 regulatory processes; and
- 6 (C) Recognizing the presence of federal defense and  
7 security forces and agencies in the State as  
8 important state concerns;
- 9 (4) Statewide planning and geographic information system.  
10 Collecting, integrating, analyzing, maintaining, and  
11 disseminating various forms of data and information,  
12 including geospatial data and information, to further  
13 effective state planning, policy analysis and  
14 development, and delivery of government services by:
- 15 (A) Collecting, assembling, organizing, evaluating,  
16 and classifying existing geospatial and non-  
17 geospatial data and performing necessary basic  
18 research, conversions, and integration to provide  
19 a common database for governmental planning and  
20 geospatial analyses by state agencies;





1           (B) Planning, coordinating, and maintaining a  
2           comprehensive, shared statewide planning and  
3           geographic information system and associated  
4           geospatial database. The office shall be the  
5           lead agency responsible for coordinating the  
6           maintenance of the multi-agency, statewide  
7           planning and geographic information system and  
8           coordinating, collecting, integrating, and  
9           disseminating geospatial data sets that are used  
10          to support a variety of state agency applications  
11          and other spatial data analyses to enhance  
12          decision-making. The office shall promote and  
13          encourage free and open data sharing among and  
14          between all government agencies. To ensure the  
15          maintenance of a comprehensive, accurate, up-to-  
16          date geospatial data resource that can be drawn  
17          upon for decision-making related to essential  
18          public policy issues such as land use planning,  
19          resource management, homeland security, and the  
20          overall health, safety, and well-being of  
21          Hawaii's citizens, and to avoid redundant data



1 development efforts, state agencies shall provide  
2 to the shared system either their respective  
3 geospatial databases or, at a minimum, especially  
4 in cases of secure or confidential data sets that  
5 cannot be shared or must be restricted, metadata  
6 describing existing geospatial data. In cases  
7 where agencies provide restricted data, the  
8 office of planning shall ensure the security of  
9 that data; and

10 (C) Maintaining a centralized depository of state and  
11 national planning references;

12 (5) Land use planning. Developing and presenting the  
13 position of the State in all boundary change petitions  
14 and proceedings before the land use commission,  
15 assisting state agencies in the development and  
16 submittal of petitions for land use district boundary  
17 amendments, and conducting periodic reviews of the  
18 classification and districting of all lands in the  
19 State, as specified in chapter 205;

20 (6) Coastal and ocean policy management [-], and sea level  
21 rise adaptation coordination. Carrying out the lead



1 agency responsibilities for the Hawaii coastal zone  
2 management program, as specified in chapter 205A.

3 Also:

4 (A) Developing and maintaining an ocean and coastal  
5 resources information, planning, and management  
6 system;

7 (B) Further developing and coordinating  
8 implementation of the ocean resources management  
9 plan; and

10 (C) Formulating ocean policies with respect to the  
11 exclusive economic zone, coral reefs, and  
12 national marine sanctuaries;

13 (7) Regional planning and studies. Conducting plans and  
14 studies to determine:

15 (A) The capability of various regions within the  
16 State to support projected increases in both  
17 resident populations and visitors;

18 (B) The potential physical, social, economic, and  
19 environmental impact on these regions resulting  
20 from increases in both resident populations and  
21 visitors;



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

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

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

9 (8) Regional, national, and international planning.  
10 Participating in and ensuring that state plans,  
11 policies, and objectives are consistent, to the extent  
12 practicable, with regional, national, and  
13 international planning efforts;

14 (9) Climate adaptation and sustainability planning[-] and  
15 coordination. Conducting plans and studies and  
16 preparing reports as follows:

17 (A) Develop, monitor, and evaluate strategic climate  
18 adaptation plans and actionable policy  
19 recommendations for the State and counties  
20 addressing expected statewide climate change  
21 impacts identified under [~~Act 286, Session Laws~~



1 ~~of Hawaii 2012, through the year 2050,] chapter~~  
2 ~~225P and sections 226-108 and 226-109; and~~

3 (B) Provide planning and policy guidance and  
4 assistance to state and county agencies regarding  
5 climate change ~~[, and]~~ and sustainability; and

6 ~~[(C) Publish its findings, recommendations, and~~  
7 ~~progress reports on actions taken no later than~~  
8 ~~December 31, 2017, and its annual report to the~~  
9 ~~governor and the legislature thereafter; and]~~

10 (10) Smart growth and transit-oriented development. Acting  
11 as the lead agency to coordinate and advance smart  
12 growth and transit-oriented development planning  
13 within the State as follows:

14 (A) Identify transit-oriented development  
15 opportunities shared between state and county  
16 agencies, including relevant initiatives such as  
17 the department of health's healthy Hawaii  
18 initiative and the Hawaii clean energy  
19 initiative;

20 (B) Refine the definition of "transit-oriented  
21 development" in the context of Hawaii, while



- 1                   recognizing the potential for smart growth  
2                   development patterns in all locations;
- 3           (C) Clarify state goals for transit-oriented  
4                   development and smart growth that support the  
5                   principles of the Hawaii State Planning Act by  
6                   preserving non-urbanized land, improving worker  
7                   access to jobs, and reducing fuel consumption;
- 8           (D) Target transit-oriented development areas for  
9                   significant increase in affordable housing and  
10                  rental units;
- 11           (E) Conduct outreach to state agencies to help  
12                  educate state employees about the ways they can  
13                  support and benefit from transit-oriented  
14                  development and the State's smart growth goals;
- 15           (F) Publicize coordinated state efforts that support  
16                  smart growth, walkable neighborhoods, and  
17                  transit-oriented development;
- 18           (G) Review state land use decision-making processes  
19                  to identify ways to make transit-oriented  
20                  development a higher priority and facilitate  
21                  better and more proactive leadership in creating



1 walkable communities and employment districts,  
2 even if transit will only be provided at a later  
3 date; and

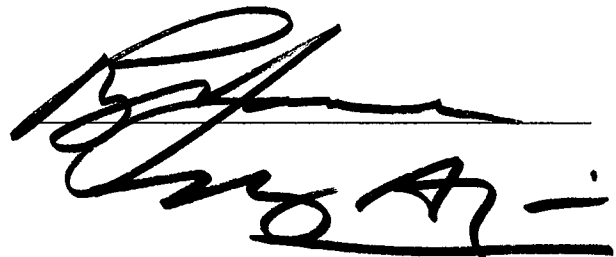
4 (H) Approve all state agencies' development plans for  
5 parcels along the rail transit corridor. For the  
6 purposes of this subparagraph, "development  
7 plans" means conceptual land use plans that  
8 identify the location and planned uses within a  
9 defined area."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY:



JAN 22 2020



# H.B. NO. 2486

**Report Title:**

Office of Planning; Statewide Planning; Climate Change;  
Sustainability; Land Use

**Description:**

Updates and reaffirms the role of the office of planning to coordinate among state agencies regarding climate change adaptation and sustainability.

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