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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 overriding challenge of the twenty-  
3 first century and one of the priority issues of the State.  
4 Climate change poses immediate and long-term threats to Hawaii's  
5 economy, sustainability, security, and way of life.

6           The legislature recognized in Act 8, Special Session Laws  
7 of Hawaii 2005, that "many quality-of-life issues, including  
8 water quality, air quality, land use, energy, and ocean  
9 resources, are important to the people of Hawaii and should be  
10 the focus for planning Hawaii's future" and created the Hawaii  
11 2050 sustainability task force and the Hawaii 2050  
12 sustainability plan to "coordinate the actions needed to sustain  
13 a growing and vibrant economy, while maintaining a high quality  
14 of life for all residents and visitors."

15           The legislature recognized in Act 181, Session Laws of  
16 Hawaii 2011, that "[t]he creation of the Hawaii 2050  
17 sustainability plan comes as the State faces a growing number of



1 pressing issues, including the steady deterioration of public  
2 infrastructure, the lack of affordable housing, a continued  
3 reliance on a service-based economy, the vulnerability of Hawaii  
4 in a volatile global energy market, possible interruptions in  
5 travel and to critical food supplies, threats to fragile island  
6 ecosystems, ever-increasing numbers of residents, and an  
7 increasing number of visitors over the long-term." These issues  
8 all raise questions about the long-term limits of growth in the  
9 State and highlight the need to begin planning and coordinating  
10 state agencies to act to assure Hawaii's sustainable future.

11 The purpose of this Act is to:

- 12 (1) Establish a statewide sustainability division within  
13 the office of planning to ensure stronger, long-term  
14 planning, coordination, and implementation of Hawaii's  
15 sustainability goals; and
- 16 (2) Update and reaffirm the role of the office of planning  
17 to coordinate among state agencies regarding climate  
18 change adaptation and sustainability.

19 SECTION 2. Chapter 225M, Hawaii Revised Statutes, is  
20 amended by adding a new section to be appropriately designated  
21 and to read as follows:



1           "§225M-       Statewide sustainability division; established.

2   The statewide sustainability division is established within the  
3   office of planning. The division shall have the following  
4   duties:

- 5           (1) Develop, organize, and promote policies and programs  
6           that assist in the meeting of Hawaii's numerous  
7           sustainability and climate policies and goals, and the  
8           priority guidelines and principles to promote  
9           sustainability set forth in section 226-108;
- 10          (2) Identify, evaluate, and make recommendations regarding  
11          proposed legislation, regulatory changes, or policy  
12          modifications to the governor, the legislature,  
13          government agencies, private entities, and other  
14          bodies for the purpose of encouraging activities that  
15          best sustain, protect, and enhance the quality of the  
16          environment, economy, and community for the present  
17          and future benefit of the people of Hawaii; and
- 18          (3) Develop and promote proposals that jointly and  
19          mutually enhance local economies, the environment, and  
20          community health for the present and future benefit of  
21          the people of Hawaii."



1 SECTION 3. Section 225M-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

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

- 11 (1) State comprehensive planning and program coordination.  
12 Formulating and articulating comprehensive statewide  
13 goals, objectives, policies, and priorities, and  
14 coordinating their implementation through the  
15 statewide planning system established in part II of  
16 chapter 226;
- 17 (2) Strategic planning. Identifying and analyzing  
18 significant issues, problems, and opportunities  
19 confronting the State, and formulating strategies and  
20 alternative courses of action in response to  
21 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 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 4. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2020-2021 for  
13 the establishment and implementation of the statewide  
14 sustainability division.

15 The sum appropriated shall be expended by the office of  
16 planning for the purposes of this Act.

17 SECTION 5. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so  
19 much thereof as may be necessary for fiscal year 2020-2021 for  
20 the establishment of:



- 1 (1) One full-time equivalent (1.00 FTE) secretary III  
2 position;
- 3 (2) Two full-time equivalent (2.00 FTE) planner IV  
4 positions; and
- 5 (3) Two full-time equivalent (2.00 FTE) planner V  
6 positions,  
7 to support the statewide sustainability division.

8 The sum appropriated shall be expended by the office of  
9 planning for the purposes of this Act.

10 SECTION 6. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect on July 1, 2050;  
13 provided that sections 4 and 5 shall take effect on July 1,  
14 2020.



**Report Title:**

Office of Planning; Statewide Planning; Climate Change;  
Sustainability; Statewide Sustainability Division; Appropriation

**Description:**

Updates and reaffirms the role of the office of planning (OP) to coordinate among state agencies regarding climate change adaptation and sustainability. Establishes a statewide sustainability division within OP. Makes appropriations for establishment of the sustainability division and positions for the new division. Effective 7/1/2050. (HD2)

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