

JAN 21 2022

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# A BILL FOR AN ACT

RELATING TO SEA-LEVEL RISE IMPACTS.

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

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

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

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



- 1           (2) Strategic planning. Identifying and analyzing  
2           significant issues, problems, and opportunities  
3           confronting the State, and formulating strategies and  
4           alternative courses of action in response to  
5           identified problems and opportunities by:
- 6           (A) Providing in-depth policy research, analysis, and  
7           recommendations on existing or potential areas of  
8           critical state concern;
- 9           (B) Examining and evaluating the effectiveness of  
10          state programs in implementing state policies and  
11          priorities;
- 12          (C) Monitoring current social, economic, and physical  
13          conditions and trends through surveys,  
14          environmental scanning, and other techniques; and
- 15          (D) Developing, in collaboration with affected public  
16          or private agencies and organizations,  
17          implementation plans and schedules and, where  
18          appropriate, assisting in the mobilization of  
19          resources to meet identified needs;
- 20          (3) Planning coordination and cooperation. Facilitating  
21          coordinated and cooperative planning and policy



1 development and implementation activities among state  
2 agencies and between the state, county, and federal  
3 governments, by:

4 (A) Reviewing, assessing, and coordinating, as  
5 necessary, major plans, programs, projects, and  
6 regulatory activities existing or proposed by  
7 state and county agencies;

8 (B) Formulating mechanisms to simplify, streamline,  
9 or coordinate interagency development and  
10 regulatory processes; and

11 (C) Recognizing the presence of federal defense and  
12 security forces and agencies in the State as  
13 important state concerns;

14 (4) Statewide planning and geographic information system.  
15 Collecting, integrating, analyzing, maintaining, and  
16 disseminating various forms of data and information,  
17 including geospatial data and information, to further  
18 effective state planning, policy analysis and  
19 development, and delivery of government services by:

20 (A) Collecting, assembling, organizing, evaluating,  
21 and classifying existing geospatial and



1 non-geospatial data and performing necessary  
2 basic research, conversions, and integration to  
3 provide a common database for governmental  
4 planning and geospatial analyses by state  
5 agencies;

6 (B) Planning, coordinating, and maintaining a  
7 comprehensive, shared statewide planning and  
8 geographic information system and associated  
9 geospatial database. The office shall be the  
10 lead agency responsible for coordinating the  
11 maintenance of the multi-agency, statewide  
12 planning and geographic information system and  
13 coordinating, collecting, integrating, and  
14 disseminating geospatial data sets that are used  
15 to support a variety of state agency applications  
16 and other spatial data analyses to enhance  
17 decision-making. The office shall promote and  
18 encourage free and open data sharing among and  
19 between all government agencies. To ensure the  
20 maintenance of a comprehensive, accurate,  
21 up-to-date geospatial data resource that can be



1 drawn upon for decision-making related to  
2 essential public policy issues such as land use  
3 planning, resource management, homeland security,  
4 and the overall health, safety, and well-being of  
5 Hawaii's citizens, and to avoid redundant data  
6 development efforts, state agencies shall provide  
7 to the shared system either their respective  
8 geospatial databases or, at a minimum, especially  
9 in cases of secure or confidential data sets that  
10 cannot be shared or must be restricted, metadata  
11 describing existing geospatial data. In cases  
12 where agencies provide restricted data, the  
13 office of planning and sustainable development  
14 shall ensure the security of that data; and  
15 (C) Maintaining a centralized depository of state and  
16 national planning references;  
17 (5) Land use planning. Developing and presenting the  
18 position of the State in all boundary change petitions  
19 and proceedings before the land use commission, and  
20 assisting state agencies in the development and  
21 submittal of petitions for land use district boundary



1 amendments, and conducting reviews of the  
2 classification and districting of all lands in the  
3 State, as specified in chapter 205;

- 4 (6) Coastal and ocean policy management, and sea level  
5 rise adaptation coordination. Carrying out the lead  
6 agency responsibilities for the Hawaii coastal zone  
7 management program, as specified in chapter 205A.

8 Also:

9 (A) Developing and maintaining an ocean and coastal  
10 resources information, planning, and management  
11 system;

12 (B) Further developing and coordinating  
13 implementation of the ocean resources management  
14 plan;

15 (C) Formulating ocean policies with respect to the  
16 exclusive economic zone, coral reefs, and  
17 national marine sanctuaries; and

18 (D) Coordinating sea level rise adaptation with state  
19 agencies having operational responsibilities over  
20 state facilities to identify existing and planned  
21 facilities, including critical infrastructure,



1 that are vulnerable to sea level rise, flooding  
2 impacts, and natural hazards; and

3 (E) Formulating and implementing policy to mitigate  
4 sea level rise impacts to beaches under  
5 intergovernmental jurisdiction;

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

8 (A) The capability of various regions within the  
9 State to support projected increases in both  
10 resident populations and visitors;

11 (B) The potential physical, social, economic, and  
12 environmental impact on these regions resulting  
13 from increases in both resident populations and  
14 visitors;

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

17 (D) The appropriate guidance and management of  
18 selected regions and areas of statewide critical  
19 concern.



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

4           (8) Regional, national, and international planning.  
5           Participating in and ensuring that state plans,  
6           policies, and objectives are consistent, to the extent  
7           practicable, with regional, national, and  
8           international planning efforts;

9           (9) Climate adaptation and sustainability planning and  
10          coordination. Conducting plans and studies and  
11          preparing reports as follows:

12          (A) Develop, monitor, and evaluate strategic climate  
13          adaptation plans and actionable policy  
14          recommendations for the State and counties  
15          addressing expected statewide climate change  
16          impacts identified under chapter 225P and  
17          sections 226-108 and 226-109; and

18          (B) Provide planning and policy guidance and  
19          assistance to state and county agencies regarding  
20          climate change and sustainability;





1           (10) Smart growth and transit-oriented development. Acting  
2           as the lead agency to coordinate and advance smart  
3           growth and transit-oriented development planning  
4           within the State as follows:

5           (A) Identify transit-oriented development  
6           opportunities shared between state and county  
7           agencies, including relevant initiatives such as  
8           the department of health's healthy Hawaii  
9           initiative and the Hawaii clean energy  
10          initiative;

11          (B) Refine the definition of "transit-oriented  
12          development" in the context of Hawaii, while  
13          recognizing the potential for smart growth  
14          development patterns in all locations;

15          (C) Clarify state goals for transit-oriented  
16          development and smart growth that support the  
17          principles of the Hawaii State Planning Act by  
18          preserving non-urbanized land, improving worker  
19          access to jobs, and reducing fuel consumption;



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- 1           (D) Target transit-oriented development areas for  
2                           significant increase in affordable housing and  
3                           rental units;
- 4           (E) Conduct outreach to state agencies to help  
5                           educate state employees about the ways they can  
6                           support and benefit from transit-oriented  
7                           development and the State's smart growth goals;
- 8           (F) Publicize coordinated state efforts that support  
9                           smart growth, walkable neighborhoods, and  
10                          transit-oriented development;
- 11          (G) Review state land use decision-making processes  
12                          to identify ways to make transit-oriented  
13                          development a higher priority and facilitate  
14                          better and more proactive leadership in creating  
15                          walkable communities and employment districts,  
16                          even if transit will only be provided at a later  
17                          date; and
- 18          (H) Approve all state agencies' development plans for  
19                          parcels along the rail transit corridor. For the  
20                          purposes of this subparagraph, "development  
21                          plans" means conceptual land use plans that



1            identify the location and planned uses within a  
2            defined area; and  
3        (11) Environmental review. Performing duties set forth  
4            under chapter 343, serving the governor in an advisory  
5            capacity on all matters relating to environmental  
6            review, and having such powers delegated by the  
7            governor as are necessary to coordinate and, when  
8            requested by the governor, direct all state  
9            governmental agencies in matters concerning  
10          environmental quality control, including:  
11            (A) Advising and assisting private industries,  
12                    government department and agencies, and other  
13                    persons on the requirements of chapter 343; and  
14            (B) Conducting public education programs on  
15                    environmental quality control;  
16            provided that the office shall adopt rules in  
17            accordance with chapter 91 to implement this  
18            paragraph."

19        SECTION 2. New statutory material is underscored.

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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

A large, bold, handwritten signature in black ink, appearing to be 'DJK', is written over a horizontal line. The signature is stylized and extends to the right of the line.

# S.B. NO. 2911

**Report Title:**

Office of Planning and Sustainable Development; Sea-Level Rise; Jurisdiction

**Description:**

Expands the responsibilities of the Office of Planning and Sustainable Development to include jurisdiction over beaches under inter-governmental jurisdiction that are vulnerable to sea-level rise impacts.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

