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# A BILL FOR AN ACT

RELATING TO THE STATE PLAN.

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

1 PART I

2 SECTION 1. The legislature finds that sustainable design  
3 concepts for public infrastructure incorporate green vegetation  
4 and trees to decrease urban temperatures, reduce carbon  
5 emissions, improve air quality, and capture water to replenish  
6 the water table. The effects of climate change have made  
7 implementing sustainable design concepts more critical, as each  
8 passing year has seen increased temperatures and other harmful  
9 environmental impacts.

10 Studies have determined that individuals who live in areas  
11 that have more trees and green space are less likely to have  
12 acute respiratory symptoms and to die of heart disease or  
13 respiratory disease. Studies have also found that green  
14 vegetation, trees, and properly designed and well-maintained  
15 infrastructure can produce significant improvements to mental  
16 health and have positive psychological and quality-of-life  
17 benefits in a community. The Walt Disney Company uses these



1 principles in park design, including painting unsightly  
2 infrastructure, such as trash cans and street lights, a standard  
3 shade of neutral green to blend them into the surrounding  
4 environment and improve the quality of experience for visitors.  
5 The same can be done in local communities to produce similar  
6 mental health and quality-of-life benefits.

7       The legislature further finds that Hawaii is world-renowned  
8 for its vegetation and that residents and visitors alike  
9 actively seek out green spaces. Increasing the number of parks  
10 and green spaces throughout the State will enhance the quality  
11 of life for all.

12       Accordingly, the purpose of this Act is to improve the  
13 quality of life in the State by:

14       (1) Establishing objectives, policies, and priority  
15             guidelines in the Hawaii State Planning Act to achieve  
16             the use of green infrastructure, vegetation, and trees  
17             in state facility systems, infrastructure, transit  
18             projects, and other areas;

19       (2) Requiring the office of planning and sustainable  
20             development, in partnership with the greenhouse gas  
21             sequestration task force, to make recommendations for



1 implementing the green infrastructure objectives,  
2 policies, and priority guidelines established by this  
3 Act; and

4 (3) Appropriating moneys for the purposes of this Act.

5 PART II

6 SECTION 2. Chapter 226, Hawaii Revised Statutes, is  
7 amended by adding a new section to part I to be appropriately  
8 designated and to read as follows:

9 "§226- Objectives and policies for facility systems,  
10 infrastructure, and transit projects; green infrastructure. (a)  
11 Planning for state facility systems, infrastructure, and transit  
12 projects with regard to green infrastructure shall be directed  
13 toward the achievement of the following sustainability design  
14 objectives:

- 15 (1) Minimizing stormwater runoff and replenishing the  
16 water table;
- 17 (2) Reducing the urban heat island effect;
- 18 (3) Removing pollutants from the air; and
- 19 (4) Removing, sequestering, and storing greenhouse gas  
20 emissions.



1        (b) Planning for state facility systems, infrastructure,  
2 and transit projects shall incorporate the achievement of the  
3 following quality-of-life experience design objectives:

4        (1) Creating a visual and sound barrier to enhance the  
5 quality of life in the surrounding community; and

6        (2) Incorporating live foliage, trees, green  
7 infrastructure, and open green space, with a priority  
8 on the use of non-invasive Polynesian-introduced and  
9 Hawaiian plants."

10        SECTION 3. Section 226-2, Hawaii Revised Statutes, is  
11 amended by adding two new definitions to be appropriately  
12 inserted and to read as follows:

13        "Green infrastructure" means the range of measures that  
14 use plant or soil systems, including trees, permeable pavement  
15 or other permeable surfaces or substrates; stormwater harvest  
16 and reuse; or landscaping to store, infiltrate, or  
17 evapotranspire water and reduce flows to sewer systems or to  
18 surface waters.

19        "Hawaiian plants" has the same meaning as in section  
20 103D-408."



1 SECTION 4. Section 226-12, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) To achieve the scenic, natural beauty, and historic  
4 resources objective, it shall be the policy of [~~this~~] the State  
5 to:

- 6 (1) Promote the preservation and restoration of  
7 significant natural and historic resources.
- 8 (2) Provide incentives to maintain and enhance historic,  
9 cultural, and scenic amenities.
- 10 (3) Promote the preservation of views and vistas to  
11 enhance the visual and aesthetic enjoyment of  
12 mountains, ocean, scenic landscapes, and other natural  
13 features.
- 14 (4) Protect those special areas, structures, and elements  
15 that are an integral and functional part of Hawaii's  
16 ethnic and cultural heritage.
- 17 (5) Encourage the design of developments and activities  
18 that complement the natural beauty of the islands.
- 19 (6) Promote the increase of outdoor public green spaces.
- 20 (7) Connect outdoor public green spaces with existing  
21 trails.



- 1        (8) Promote the increase of the urban tree canopy.
- 2        (9) Prioritize the use of Hawaiian plants where feasible
- 3                to contribute to Hawaii's historic and cultural
- 4                heritage, sense of place, biodiversity, and
- 5                resilience."

6                SECTION 5. Section 226-104, Hawaii Revised Statutes, is  
 7 amended to read as follows:

8                "**§226-104 Population growth [and], land resources, and**  
 9 **green infrastructure priority guidelines.** (a) Priority  
 10 guidelines to effect desired statewide growth and distribution:

- 11                (1) Encourage planning and resource management to insure
- 12                        that population growth rates throughout the State are
- 13                        consistent with available and planned resource
- 14                        capacities and reflect the needs and desires of
- 15                        Hawaii's people.
- 16                (2) Manage a growth rate for Hawaii's economy that will
- 17                        parallel future employment needs for Hawaii's people.
- 18                (3) Ensure that adequate support services and facilities
- 19                        are provided to accommodate the desired distribution
- 20                        of future growth throughout the State.



1 (4) Encourage major state and federal investments and  
2 services to promote economic development and private  
3 investment to the neighbor islands, as appropriate.

4 (5) Explore the possibility of making available urban  
5 land, low-interest loans, and housing subsidies to  
6 encourage the provision of housing to support  
7 selective economic and population growth on the  
8 neighbor islands.

9 (6) Seek federal funds and other funding sources outside  
10 the State for research, program development, and  
11 training to provide future employment opportunities on  
12 the neighbor islands.

13 (7) Support the development of high technology parks on  
14 the neighbor islands.

15 (b) Priority guidelines for regional growth distribution  
16 and land resource utilization:

17 (1) Encourage urban growth primarily to existing urban  
18 areas where adequate public facilities are already  
19 available or can be provided with reasonable public  
20 expenditures, and away from areas where other  
21 important benefits are present, such as protection of



- 1 important agricultural land or preservation of  
2 lifestyles.
- 3 (2) Make available marginal or nonessential agricultural  
4 lands for appropriate urban uses while maintaining  
5 agricultural lands of importance in the agricultural  
6 district.
- 7 (3) Restrict development when drafting of water would  
8 result in exceeding the sustainable yield or in  
9 significantly diminishing the recharge capacity of any  
10 groundwater area.
- 11 (4) Encourage restriction of new urban development in  
12 areas where water is insufficient from any source for  
13 both agricultural and domestic use.
- 14 (5) In order to preserve green belts, give priority to  
15 state capital-improvement funds [~~which~~] that encourage  
16 location of urban development within existing urban  
17 areas except where compelling public interest dictates  
18 development of a noncontiguous new urban core.
- 19 (6) Seek participation from the private sector for the  
20 cost of building infrastructure and utilities, and  
21 maintaining open spaces.





- 1       (7) Pursue rehabilitation of appropriate urban areas.
- 2       (8) Support the redevelopment of Kakaako into a viable
- 3             residential, industrial, and commercial community.
- 4       (9) Direct future urban development away from critical
- 5             environmental areas or impose mitigating measures so
- 6             that negative impacts on the environment would be
- 7             minimized.
- 8       (10) Identify critical environmental areas in Hawaii to
- 9             include but not be limited to the following:
- 10            watershed and recharge areas; wildlife habitats (on
- 11            land and in the ocean); areas with endangered species
- 12            of plants and wildlife; natural streams and water
- 13            bodies; scenic and recreational shoreline resources;
- 14            open space and natural areas; historic and cultural
- 15            sites; areas particularly sensitive to reduction in
- 16            water and air quality; and scenic resources.
- 17       (11) Identify all areas where priority should be given to
- 18            preserving rural character and lifestyle.
- 19       (12) Utilize Hawaii's limited land resources wisely,
- 20            providing adequate land to accommodate projected
- 21            population and economic growth needs while ensuring



1 the protection of the environment and the availability  
2 of the shoreline, conservation lands, and other  
3 limited resources for future generations.

4 (13) Protect and enhance Hawaii's shoreline, open spaces,  
5 and scenic resources.

6 (c) Priority guidelines to promote the use of green  
7 infrastructure in state facility systems, infrastructure, and  
8 transit projects:

9 (1) Design all new state facilities, infrastructure, and  
10 transit upgrades to include best practices for tree  
11 planting and other green infrastructure.

12 (2) Make provisions for maintaining trees by following the  
13 Accredited Standards Committee of the Tree Care  
14 Industry Association, the ANSI A300, or similar best  
15 practice standards appropriate for Hawaii for tree  
16 care.

17 (3) Periodically revisit and modernize the design and  
18 planting around the area where trees are planted in  
19 urban areas.

20 (4) Select tree species matched to site conditions to  
21 maximize tree health.





1 (2) Any other findings and recommendations, including any  
2 proposed legislation.

3 PART IV

4 SECTION 7. In accordance with section 9 of article VII, of  
5 the Constitution of the State of Hawaii and sections 37-91  
6 and 37-93, Hawaii Revised Statutes, the legislature has  
7 determined that the appropriation contained in this Act will  
8 cause the state general fund expenditure ceiling for fiscal year  
9 2024-2025 to be exceeded by \$ , or per cent. The  
10 reasons for exceeding the general fund expenditure ceiling are  
11 that the appropriation made in this Act is necessary to serve  
12 the public interest and to meet the need provided for by this  
13 Act.

14 SECTION 8. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$ or so  
16 much thereof as may be necessary for fiscal year 2024-2025 for:

17 (1) The establishment of full-time equivalent ( .0  
18 FTE) policy analyst positions, which shall be exempt  
19 from chapter 76, Hawaii Revised Statutes; and

20 (2) Program funding for the purposes of this Act.





**Report Title:**

State Plan; Green Infrastructure; Office of Planning and Sustainable Development; Greenhouse Gas Sequestration Task Force; Report; Positions; Appropriation; Expenditure Ceiling

**Description:**

Establishes green infrastructure objectives, policies, and priority guidelines for state facility systems, infrastructure, transit projects, and other areas in the Hawaii State Planning Act to improve the quality of life for residents and visitors. Requires report to the Legislature. Establishes positions within the Office of Planning and Sustainable Development. Appropriates funds. Effective 7/1/3000. (HD1)

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

