

ACT 247

H.B. NO. 2547-74

A Bill for an Act Relating to Environmental Policy.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

“CHAPTER STATE ENVIRONMENTAL POLICY

Sec. -1. Purpose. The purpose of this Act is to establish a state policy which will encourage productive and enjoyable harmony between man and his environment, promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man, and enrich the understanding of the ecological systems and natural resources important to the people of Hawaii.

Sec. -2. Definitions. As used in this chapter unless the context otherwise requires:

- (1) ‘Agency’ means any department, office, board, or commission of the State or county government that is a part of the executive branch of that government.
- (2) ‘Environment’ means the complex of physical and biological conditions that influence human well being, including land, air, water, minerals, flora, fauna, energy, noise, and places of historic or aesthetic significance.

Sec. -3. Environmental policy. It shall be the policy of the State, through its programs, authorities, and resources to:

(a) Conserve the natural resources, so that land, water, mineral, visual, air and other natural resources are protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State’s unique natural environmental characteristics in a manner which will foster and promote the general welfare, create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of the people of Hawaii.

(b) Enhance the quality of life by:

- (1) Setting population limits so that the interaction between the natural and man-made environments and the population is mutually beneficial;
- (2) Creating opportunities for the residents of Hawaii to improve their quality of life through diverse economic activities which are stable and in balance with the physical and social environments;
- (3) Establishing communities which provide a sense of identity, wise use of land, efficient transportation, and aesthetic and social satisfaction in harmony with the natural environment which is uniquely Hawaiian; and
- (4) Establishing a commitment on the part of each person to protect and enhance Hawaii’s environment and reduce the drain on non-renewable resources.

Sec. -4. In pursuance of the state policy to conserve the natural resources and enhance the quality of life, all agencies, in the development of programs shall, insofar as practicable, consider the following guidelines:

(a) **Population.**

- (1) Recognize population impact as a major factor in environmental degradation and adopt guidelines to alleviate this impact and minimize future degradation;
- (2) Recognize optimum population levels for counties and districts within the State, keeping in mind that these will change with technology and circumstance, and adopt guidelines to limit population to the levels determined.

(b) **Land, Water, Mineral, Visual, Air and Other Natural Resources.**

- (1) Encourage management practices which conserve and fully utilize all natural resources;
- (2) Promote irrigation and waste water management practices which conserve and fully utilize vital water resources;
- (3) Promote the recycling of waste water and solid wastes;
- (4) Encourage management practices which conserve and protect watersheds and water sources, forest, and open space areas;
- (5) Establish and maintain natural area preserves, wildlife preserves, forest reserves, marine preserves, and unique ecological preserves;
- (6) Maintain an integrated system of state land use planning which coordinates the state and county general plans.

(c) **Flora and fauna.**

- (1) Protect endangered species of indigenous plants and animals and introduce new plants or animals only upon assurance of negligible ecological hazard;
- (2) Foster and planting of native as well as other trees, shrubs, and flowering plants compatible to the enhancement of our environment.

(d) **Parks, Recreation, and Open Space.**

- (1) Establish, preserve and maintain scenic, historic, cultural, park and recreation areas, including the shorelines, for public recreational, educational, and scientific uses;
- (2) Protect the shorelines of the State from encroachment of man-made improvements, structures, and activities;
- (3) Promote open space in view of its natural beauty not only as a natural resource but as an ennobling, living environment for its people.

(e) **Economic Development.**

- (1) Encourage industries in Hawaii which would be in harmony with our environment;
- (2) Promote and foster the agricultural industry of the State; and preserve and conserve productive agricultural lands;
- (3) Encourage federal activities in Hawaii to protect the environment;
- (4) Encourage all industries including the fishing, aquaculture, oceanography, recreation, and forest products industries to protect the environment;
- (5) Establish visitor destination areas with planning controls which shall include but not be limited to the number of rooms.

(f) Transportation.

- (1) Encourage transportation systems in harmony with the life-style of the people and environment of the State;
- (2) Adopt guidelines to alleviate environmental degradation caused by motor vehicles;
- (3) Encourage public and private vehicles and transportation systems to conserve energy, reduce pollution emission, including noise, and provide safe and convenient accommodations for their users.

(g) Energy.

- (1) Encourage the efficient use of energy resources.

(h) Community Life and Housing.

- (1) Foster life-styles compatible with the environment; preserve the variety of life-styles traditional to Hawaii through the design and maintenance of neighborhoods which reflect the culture and mores of the community;
- (2) Develop communities which provide a sense of identity and social satisfaction in harmony with the environment and provide internal opportunities for shopping, employment, education, and recreation;
- (3) Encourage the reduction of environmental pollution which may degredate a community;
- (4) Foster safe, sanitary, and decent homes;
- (5) Recognize community appearances as major economic and aesthetic assets of the counties and the State; encourage green belts, plantings, and landscape plans and designs in urban areas; and preserve and promote mountain-to-ocean vistas.

(i) Education and Culture.

- (1) Foster culture and the arts and promote their linkage to the enhancement of the environment;
- (2) Encourage both formal and informal environmental education to all age groups.

(j) Citizen Participation.

- (1) Encourage all individuals in the State to adopt a moral ethic to respect the natural environment; to reduce waste and excessive consumption; and to fulfill the responsibility as trustees of the environment for the present and succeeding generations; and
- (2) Provide for expanding citizen participation in the decision-making process so it continually embraces more citizens and more issues."

SECTION 2. This Act shall take effect upon its approval.

(Approved June 15, 1974.)