HB 3189
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

House Committee on
Energy and Environmental Protection

Public Hearing - February 25, 1998
8:30 A.M., Room 312, State Capitol

By
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HB 3189 would amend Section 343-5(c) to provide that an applicant may withdraw a proposal for an action and thus not be required to respond to public comments, while retaining the requirement for agency preparation of a final environmental assessment on the project.

My statement on this measure does not constitute an institutional position of the University of Hawaii.

Even after considerable deliberation, the underlying intent of this measure remains patently obscure. There have been a number of instances in which either agencies or applicants have chosen to withdraw a draft document submitted pursuant to Chapter 343, and no existing provision of the law prevents such a withdrawal. Exactly why there would be an advantage to requiring an agency to proceed with completion of the Chapter 343 process after the applicant has withdrawn the project remains mysterious. Perhaps, with further explanation of the motivation behind this proposed amendment, its merits may become more evident, but at this juncture, HB 3189 appears unwarranted.