SB 561 amends Chapter 343, HRS, to allow any person to sue another person or government agency for actions resulting from the lack of or inadequacy of an environmental impact statement.

Our comments on this measure are compiled from voluntarily submitted opinions of the listed academic sources, and as such, do not constitute an institutional position of the University of Hawaii.

While relaxing standing requirements for EIS legal action may be viewed as a means of encouraging citizen oversight of development, this proposal is not likely to be favorably viewed by either the executive agencies or the private sector. Nevertheless, there have been instances where persons lacking standing to initiate a legal action have legitimately questioned the actions of agencies or applicants regarding EIS determinations.

We suggest that a more straightforward way to liberalize standing specifications would be to amend the language in Section 343-7 that defines aggrieved parties.