SB 307
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Statement for
Senate Committee on
Culture, Arts and Historic Preservation
Public Hearing - February 7, 1991

By
Jacquelin Miller, Environmental Center
John Harrison, Environmental Center
Peggy Painter, Environmental Center
Caroylyn Cook, Environmental Center

SB 307 would amend subsection (a) of HRS 343-5 by adding to the actions that trigger an environmental assessment, those actions that propose the use of cultural sites as designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or the office of Hawaiian affairs' inventory of sites as provided for in Chapter 6E.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

We share the concern for protection of cultural sites and the need for assessment of impacts to the environment when such sites may be affected by various development "actions". However, we have two concerns with respect to SB 307. The first is the definition of "cultural" site. Chapter 6E does not include any reference to an "inventory of sites" by the office of Hawaiian affairs nor does it define cultural sites. Hence a potential enforcement problem arises with the definition of "cultural" site.

The second concern is perhaps the more critical. As you may know, the 1990 legislature appropriated funds to support a comprehensive review of HRS 343 by the Environmental Center. We are well along in this process and we expect to have a draft report ready for review in March. The final report will incorporate comments received on the draft and will be submitted in the late spring. At that stage a small working group with representation from key legislative committees, the administration and agencies can meet to develop specific legislative amendments to HRS 343 for action by the 1992 legislature. Hence, we urge that amendment of HRS 343 be deferred until after our final report has been submitted. I would like to add that we will be addressing the issue of cultural sites in this review.