The amendments proposed in SB 1494 would permit the Office (of Environmental Quality Control), when requested by an agency, to make a recommendation as to the scope and content of an environmental assessment and whether the proposed action will have a significant effect on the environment.

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

In our review of HRS 343 the environmental assessment process and the determination of whether a Negative Declaration or an EIS should be required was frequently cited as the most problematic part of the EIS process. Last year when SB 1494 was introduced, it was the long standing problem of inappropriate negative declarations that this bill was designed to address.

The Office of Environmental Quality Control was created to advise the governor on environmental matters and to assist in the administration of the EIS system. After substantive amendments in 1980 to its enabling legislation and major reorganization, OEQC's functions were largely relegated to ministerial rather than discretionary actions. During our review of the EIS system, several of our interview participants suggested that OEQC should be given more discretionary responsibility in their operations and that they could provide informed opinions to both agency and applicants regarding the scope, content, and significance of environmental issues during the EA and EIS process, thus contributing to better documents and better decisions based on those documents. Hence, the language
suggested in SB 1494 is somewhat consistent with the recommendations of our report that OEQC should be given responsibility to facilitate interagency coordination of environmental management issues. It should be noted however that as proposed, the Office could only respond "when requested".

One VERY SERIOUS error in this bill is the use of the term "will" on page 1 line 14 and on page 3 line 14. This must be changed to "may," as the purpose of the environmental assessment is to determine if a project may have a significant effect on the environment. (See line 16 on page 1 and line 16 on page 3).