



# University of Hawaii at Manoa

## Environmental Center

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### HB 2391 HD 1 RELATING TO THE ENVIRONMENTAL IMPACT STATEMENT SYSTEM

Senate Committee on  
Agriculture and Environmental Protection

Public Hearing - March 31, 1992  
1:00 PM, Room 305, SOT

By  
John T. Harrison, Environmental Center  
Jacquelin N. Miller, Environmental Center  
Peter J. Rappa, Sea Grant

HB 2391 HD 1 would amend Chapters 341 and 343, HRS, to incorporate changes to the state's EIS system. Among the more noteworthy changes proposed are addition of definitions of "cumulative impact", "preparation notice", and "wetland"; expansion of triggers under Section 343-5; and provision for public appeal of agency determinations on environmental assessments through a process of dispute resolution.

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

The earlier draft of this bill has been substantively amended, largely in concert with suggestions offered in our previous testimony. Consequently, most of the changes to the EIS system represented in this draft are consistent with recommendations developed in the Center's 1991 review of Chapter 343, HRS.

We do have two concerns with the present draft. First, although we concur with provisions for dispute resolution for public appeals of agency determinations, we suggest that additional language specifying a structured public review process would be advisable. The form provided in HB 3946 HD 2 is most consistent with recommendations developed during our review.

Secondly, we note that items (11) and (12) in Section 4 (pages 13, 14) concern actions and responsibilities which are not appropriately subject to rulemaking as specified in Section 343-6. These functional directives would more properly be incorporated into wording in Sections 341-4 and 341-6, HRS.