HB 2168
RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Statement for
House Committee on
Planning, Energy and Environmental Protection
Public Hearing - February 6, 1986

By
Doak C. Cox, Environmental Center
Jacquelin Miller, Environmental Center
Ray Tabata, Sea Grant

HB 2168 would propose certain amendments to the environmental impact statement (EIS) law, HRS 343. This statement on this bill does not reflect an institutional position of the University of Hawaii.

The amendment proposed includes certain satisfactory non-substantive revisions of the provision of HRS 343-6 relating to EIS system rules. More substantive are two amendments relating to "Negative Declarations" — documents for which provision is now made in the rules but for which there is now no specific statutory authority.

The first of these amendments would add, to the definitions now given in HRS 343-2, a definition of a "Negative Declaration". This amendment is desirable, but in our opinion it should be added in the form of a new subsection rather than as a part of the definition of "Environmental impact statement" as proposed.

The second of these amendments would add, to the other provisions for EIS-system rules in HRS 343-6, a specific provision for the prescription of the contents of negative declarations. In our opinion this provision is desirable but it should relate to the contents of "Environmental assessments" rather than merely those of "Negative declarations" so that it would cover the assessments resulting in what are called EIS "Preparation notices" rather than merely those resulting in "Negative declarations".