HB 379
RELATING TO ENVIRONMENTAL QUALITY

Statement for
Senate Committee on
Planning and Environment
Public Hearing - March 23, 1987

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The purpose of HB 379 is to: clarify the distinctions between Draft and Final Environmental Impact Statements; define the boundaries of the Waikiki area; add to the actions for which an environmental assessment shall be required, those that propose any reclassification of conservation district lands by the State Land Use Commission; increase the review period of the Draft EIS from 30 to 45 days; decrease the time allotted to agencies for ruling on the acceptability of an EIS from 60 to 30 days; provide for a 15 day extension of the acceptability determination by the agency, if requested by the applicant; and direct the Environmental Council to prescribe procedures for the preparation and contents of an environmental assessment and the withdrawal of an environmental impact statement. Our statement on this bill does not represent an institutional position of the University of Hawaii.

The amendments to HRS 343 as proposed in HB 379 not only reflect the opinions of our reviewers, but also the general consensus of discussions and recommendations developed in the EIS workshop conducted by the Environmental Quality Commission and attended by a very broad representation of individuals from the federal, state, and private sector communities directly involved with the EIS process. Therefore the amendments to HRS 343 do not represent a limited base of individual opinions, but coordinated and consensus derived recommendations resulting from long discussions and deliberations by the most informed and affected members of the state in terms of working with the EIS process. As indicated in the Standing Committee Report (594) most of the amendments are of a minor "housekeeping" nature and serve to clarify or correct current deficiencies, such as the confusion between the terms "draft" and "final" statements, and clarify certain statutes in accordance with a Supreme Court decision regarding the need for environmental assessment for the reclassification of conservation lands. Two comments seem in order with regard to the proposed changes in review and acceptance time.
Given the unavoidable delays due to mail time and non-work day periods, the present 30 day period for review is very short. In our case, the documents frequently are not received by our office until 6-7 days after they are filed. If the document is extensive, adequate review of the multidisciplinary contents in the time allotted is extremely difficult. Extension of the review period to 45 days will both improve the quality of the reviews and hence the final documents and facilitate the preparation of joint statements when both federal and state EIS requirements must be met.

The decrease in acceptance time from 60 to 30 days will speed the decision making process and permit more timely action by project proposers. Review time at this stage should be minimal since the accepting agency will be thoroughly familiar with the project and EIS document, having reviewed it at the draft stage, and can concentrate on evaluating the adequacy of the responses to the review comments.

We strongly support the intent of HB 379.