



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

Office of the Director

RL:0250

HB 1065, HD 1

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Statement for
Senate Committee on Ecology, Environment and Recreation
Public Hearing 24 March 1977

by
Doak C. Cox, Environmental Center
Jacquelin N. Miller, Environmental Center
Ray Tabata, Seagrant

HB 1065, HD 1, proposes amendments to the State Environmental Impact Statement (EIS) Act (HRS Chapt. 343). The Center has previously reviewed the original version of HB 1065 (RL:0200, 22 February 1977) and a predecessor bill HB 125 (RL:0194, 8 February 1977). This statement is being submitted to the authors of the earlier review as well as to the Legislative Subcommittee of the Environmental Center of the University. It does not, however, reflect an institutional position of the University.

HB 1065, HD 1, would be of value principally as it would:

1. Provide a statutory base for the useful two-stage consideration of possible environmental impacts, beginning with what is called an assessment that is now provided in the regulation of the Environmental Quality Commission (EQC).
2. Include Special Management areas designated under the Shoreline Protection Act as areas within which environmental assessment of proposed actions would be required.
3. Provide for county expansions of the uses to be included within the State EIS system.
4. Provide a statutory base for the EQC provisions for supplementary EIS's.
5. Provide for public notice and opportunity for public comment on proposed exemptions from environmental assessment.
6. Enlarge upon the provisions for judicial appeals.

However, we suggest improvement of the language of the bill in one respect. This concerns the provision for county expansions of the EIS system in subsec. 343-4 (a) (7) (p. 6, ls. 10-12). The language of the new subsection is not clear and does not fit the language of the introduction to subsec. (a). The following language accomplishing the same purpose, which is taken from SB 1264, SD 1, would be preferable:

"All actions proposing any other use within a county which a county council may, by ordinance, designate as being subject to the requirement of this chapter."