



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
MARY ALICE EVANS, Director

before the
**SENATE COMMITTEES ON GOVERNMENT OPERATIONS
AND
AGRICULTURAL AND ENVIRONMENT**

February 11, 2025, 3:10PM
State Capitol, Conference Room 225

in consideration of
SB 617
RELATING TO THE ENVIRONMENT

Chairs McKelvey and Gabbard, Vice Chairs Gabbard and Richards, and Members of the Senate Committees on Government Operations and Agriculture and Environment.

The Office of Planning and Sustainable Development (OPSD) offers the following **comments** with concerns on SB 617, which requires a public hearing for each draft environmental assessment and draft environmental impact statement in any community directly affected by the underlying proposed action.

Through longstanding practice, the Legislature, through the establishment of HRS Chapter 343, has differentiated between 1) actions that are likely to have a significant adverse impact on the environment and 2) actions for which a Finding of No Significant Impact is anticipated. Very detailed environmental impact statements (EISs) are required for the former, while applicants or agencies proposing less impactful actions prepare more appropriate environmental assessments (EAs).

In 2019, new administrative rules for the environmental review process were promulgated with substantial input from many stakeholders during an extended process. After careful consideration, these rules established the requirement for a public scoping meeting only for actions undergoing the detailed EIS process. A strong consideration was the need to balance community input and engagement with reducing the burden on agencies and applicants; accordingly, the requirement for such meetings for EAs was not established. It was recognized that when the proposed actions applied for the various permits required, further hearings and opportunities for public input would occur.

We understand this process of holding public scoping hearings for EISs has been working successfully since 2019. The currently-required public scoping meetings are held early in the process during the comment period that follows publication of the proposed action's EIS

Preparation Notice. We believe this opportunity for early engagement in the process is preferable to the bill's requirement that the hearing be conducted later in the process during the action's draft EIS comment period.

Further, the bill requires the OPSD to conduct all the required public hearings, on the last day of the public review and comment period. This is a major departure from established law and practice, which tasks the various proposing or approving agencies with all specific responsibilities related to any action going through the environmental review process. OPSD maintains an objective, neutral role and generally only publishes documents such as EAs and EISs at the request of agencies. OPSD does not get directly involved with any details of the action under review.

OPSD has neither the staff nor the resources to conduct all the public hearings required by this bill. The administrative burden would be substantial, even more so when multiple hearings on separate islands for different actions all undergoing review would have to occur on the same last day of the public review and comment period, which happens twice each month. Additionally, all details of arranging these public hearings would need to occur within a 5-day period between the submittal deadline (when the need for a public hearing first becomes evident) and the publication date of the bulletin that would advertise the upcoming public hearing.

If it is the intent of this Committee to move this bill forward for further discussion, we recommend consultation with the various proposing and approving agencies across the State and counties to ascertain their ability to shoulder this substantial burden. Otherwise OPSD would need additional positions and operational funding to carry out the requirements of this bill.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKUAĀINA 'Ō HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committees on
GOVERNMENT OPERATIONS
and
AGRICULTURE AND ENVIRONMENT

Tuesday, February 11, 2025
3:10 PM

State Capitol, Conference Room 225 and Via Videoconference

In consideration of
SENATE BILL 617
RELATING TO THE ENVIRONMENT

Senate Bill 617 requires for each draft environmental assessment and draft environmental impact statement a public hearing in the community directly affected by the underlying proposed action. **The Department of Land and Natural Resources (Department) offers comments.**

While the Department appreciates that the intent of this bill is to ensure disparate communities are informed of proposed environmental hazards to their community, the Department is concerned that requiring hearings in each affected community is logistically difficult and may cause further delays to an already lengthy compliance process. Some projects the Department proposes are statewide, such as releasing biological control agents for agricultural and environmental pests. It would be impractical to have public meetings in every community in the state. Additionally, the bill requires the Office of Planning and Sustainable Development (Office) to conduct the public hearing. The Department is concerned about burdening the Office with this responsibility where it is not the agency conducting the action. Environmental review can be triggered by an agency action or an applicant action and projects can be complicated, therefore it is unreasonable to require the Office to be familiar with each project and be able to answer questions on each project in each affected community at a public hearing.

Further, the bill proposes each hearing be conducted on the last day of the public review and comment period, which further restricts the ability to implement. Delays could occur if there are numerous projects and the Office cannot hold the required public hearings by the required date.

The Department recommends removing part (a) and amending the bill so that the Office can promulgate administrative rules addressing the bill's intent.

Mahalo for the opportunity to provide testimony on this measure.

SB-617

Submitted on: 2/6/2025 4:52:52 PM

Testimony for AEN on 2/11/2025 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	Written Testimony Only

Comments:

Strong support Mahalo

SB-617

Submitted on: 2/8/2025 8:12:48 AM

Testimony for AEN on 2/11/2025 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Stacey Alapai	Individual	Support	Written Testimony Only

Comments:

Please support this bill. It's common sense to allow a public hearing if a project requires an EIS. This way you can inform the community AND be aware of certain things to investigate in the EIS process and avoid problems later. Transparency with the public is a good thing.

SB-617

Submitted on: 2/9/2025 7:33:39 AM

Testimony for AEN on 2/11/2025 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Support	Written Testimony Only

Comments:

Aloha committee members of the Senate Committees on Agriculture and Environment and Government Operations,

I am testifying in support of SB617.

As a board member of the Kaneohe Neighborhood Board, we often briefings on projects that require and SMA since it is required that they give a public briefing. These briefings are extremely useful and important for the community, as it gives them an opportunity to provide valuable feedback and commentary on the project proposals. This opportunity to provide feedback is of value to both the community AND the project. Without this, projects and communities will clash, disagree, and the fabric of our community is disturbed and destroyed by this conflict.

Oftentimes when projects come to the neighborhood board, it is the only opportunity for the community that is being affected the most by the project to give any feedback. The community doesn't hear about most projects occurring state-wide, unless there's a news segment or Civil Beat article about it. Residents are kept in the dark and not informed on most projects.

Requiring all projects that require an EA or an EIS to hold a public hearing will help the community to understand the different projects occurring in their community AND the project will hear valuable feedback from the community.

I appreciate this bill as it helps empower the community to be better informed as well as gives the developers of projects the opportunity to gain valuable feedback for their project. This will help strengthen our communities state-wide.

Mahalo for your consideration,

Keoni Shizuma, Kaneohe, Oahu