
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 343-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as otherwise provided, an environmental
4 assessment shall be required for actions that:

5 (1) Propose the use of state or county lands or the use of
6 state or county funds, other than funds to be used for
7 feasibility or planning studies for possible future
8 programs or projects that the agency has not approved,
9 adopted, or funded, or funds to be used for the
10 acquisition of unimproved real property; provided that
11 the agency shall consider environmental factors and
12 available alternatives in its feasibility or planning
13 studies; provided further that an environmental
14 assessment for proposed uses under section 205-2(d)(9)
15 or 205-4.5(a)(12) shall only be required pursuant to
16 section 205-5(b);



- 1 (2) Propose any use within any land classified as a
2 conservation district by the state land use commission
3 under chapter 205;
- 4 (3) Propose any use within a shoreline area as defined in
5 section 205A-41;
- 6 (4) Propose any use within any historic site as designated
7 in the National Register or Hawaii Register, as
8 provided for in the Historic Preservation Act of 1966,
9 Public Law 89-665, or chapter 6E;
- 10 (5) Propose any use within the Waikiki area of Oahu, the
11 boundaries of which are delineated in the land use
12 ordinance as amended, establishing the "Waikiki
13 Special District";
- 14 (6) Propose any amendments to existing county general
15 plans where the amendment would result in designations
16 other than agriculture, conservation, or preservation,
17 except actions proposing any new county general plan
18 or amendments to any existing county general plan
19 initiated by a county;
- 20 (7) Propose any reclassification of any land classified as
21 a conservation district by the state land use
22 commission under chapter 205;



1 (8) Propose the construction of new or the expansion or
2 modification of existing helicopter facilities within
3 the State[~~r~~] that, by way of their activities, may
4 affect:

5 (A) Any land classified as a conservation district by
6 the state land use commission under chapter 205;

7 (B) A shoreline area as defined in section 205A-41;
8 or

9 (C) Any historic site as designated in the National
10 Register or Hawaii Register, as provided for in
11 the Historic Preservation Act of 1966, Public Law
12 89-665, or chapter 6E; or until the statewide
13 historic places inventory is completed, any
14 historic site that is found by a field
15 reconnaissance of the area affected by the
16 helicopter facility and is under consideration
17 for placement on the National Register or the
18 Hawaii Register of Historic Places; [and]

19 (9) Propose any:

20 (A) Wastewater treatment unit, except an individual
21 wastewater system or a wastewater treatment unit



1 serving fewer than fifty single-family dwellings
 2 or the equivalent;
 3 (B) Waste-to-energy facility;
 4 (C) Landfill;
 5 (D) Oil refinery; or
 6 (E) Power-generating facility[-]; and
 7 (10) Propose any new development of residentially zoned
 8 land whose acreage exceeds five acres, including
 9 subdivision requests of land with a slope of twenty
 10 per cent or more."

11 SECTION 2. This Act does not affect rights and duties that
 12 matured, penalties that were incurred, and proceedings that were
 13 begun, before its effective date.

14 SECTION 3. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

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<u>Flynn B. Berg</u>	INTRODUCED BY:	<u>[Signature]</u>
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HB LRB 07-0884-2.doc	<u>[Signature]</u>	<u>Alvin M. Somers</u> JAN 22 2007



Report Title:

Environmental Impact Statements; Sloped Terrain

Description:

Requires preparation of an environmental assessment for any new development of residentially zoned land whose acreage exceeds five acres, including subdivision requests of land with a slope of 20% or more.

