



**Testimony to the House Committee on Finance
Monday, February 28, 2011
10:30 a.m.
Conference Room 308
Agenda #2**

RE: HB 424 RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Chair Oshiro, Vice Chair Lee and Members of the Committee:

The Chamber of Commerce of Hawaii strongly supports HB 424, as it proposes to extend the sunset date to July 1, 2013 for EIS exceptions for secondary actions authorized under Act 87 SLH, 2009. Act 87 is scheduled to sunset on June 30, 2011.

The purpose of this Act is to delineate a clear exemption to the applicability of Chapter 343, Hawaii Revised Statutes, the state's environmental impact statement law, when the primary action is not subject to a discretionary consent or a public hearing and the secondary action is ancillary and limited to the installation, improvement, renovation, construction, or development of infrastructure within an existing public right-of-way.

The legislation is needed because of the recent court decisions where any action that involved the use of a state or county road right of way was a "trigger" for the EA/EIS. Because an access improvement, easement, drainage, waterline, etc., is now viewed as a use of state or county lands when it touches (over, under, across) a state or county road right of way, the entire project is then required to prepare and environmental assessment for the entire project.

Requiring the preparation of a 343 HRS document for projects with insignificant environmental impacts and cases with minor utility or access concerns is not the intent of the EA/EIS process.

We strongly support the approval of HB 424 to address the immediate problems caused by the Courts interpretation of Chapter 343 HRS. Our preference is for a longer sunset period.

Thank you for this opportunity to express our views.

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**By Rouen Liu
Permit Engineer, Engineering Department
Hawaiian Electric Company, Inc.**

February 28, 2011

**House Bill 424
Relating to Environmental Impact Statements**

Chair Oshiro, Vice Chair Lee and Members of the Committee:

My name is Rouen Liu and I am testifying on behalf of the Hawaiian Electric Company and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company.

Position:

We support HB424 which extends the sunset date of Act 87, Session Laws of Hawaii to July 1, 2013. We would even support making Act 87 permanent as written in HB 1315.

Comments:

- Act 87 served to allow timely routine electrical service connections to our customers.

Thank you for the opportunity to testify on this matter.