
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

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

1 SECTION 1. The legislature finds that the State's
2 environmental review process was incorporated into the planning
3 processes of the State and counties to balance environmental
4 concerns with technical considerations and economic goals. The
5 legislature further finds that the State, stakeholders, and the
6 public all benefit from public participation and transparency in
7 the environmental review process.

8 However, the legislature recognizes that the public is
9 often unaware of a pending project until a determination is made
10 regarding an environmental assessment or environmental impact
11 statement, at which point the opportunity for public comment has
12 passed. Supporting public participation in projects prior to
13 acceptance of an environmental assessment or environmental
14 impact statement will foster greater awareness of and
15 participation in the environmental review process.

16 The legislature also finds that although the office of
17 environmental quality control currently has a website that



1 provides information to the public, the information provided on
2 the site is not user-friendly. Information is difficult to
3 locate and the site does not highlight pending environmental
4 assessments or environmental impact statements that are
5 currently open for public comments.

6 Accordingly, the purpose of this Act is to require the
7 office of environmental quality control to establish, implement,
8 and maintain an interactive website that is accessible by the
9 public at no cost and provides notification of and opportunity
10 for participation in actions taken pursuant to the State's
11 environmental review process.

12 SECTION 2. Section 343-3, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§343-3 Public records and notice ~~(-)~~; office
15 website. (a) All statements, environmental assessments, and
16 other documents prepared under this chapter shall be made
17 available for inspection by the public during established office
18 hours.

19 (b) The office shall inform the public of notices filed by
20 agencies of the availability of environmental assessments for
21 review and comments, of determinations that statements are



1 required or not required, of the availability of statements for
2 review and comments, and of the acceptance or nonacceptance of
3 statements.

4 (c) The office shall inform the public of:

5 (1) A public comment process or public hearing if a
6 federal agency provides for the public comment process or public
7 hearing to process a habitat conservation plan, safe harbor
8 agreement, or incidental take license pursuant to the federal
9 Endangered Species Act;

10 (2) A proposed habitat conservation plan or proposed safe
11 harbor agreement, and availability for inspection of the
12 proposed agreement, plan, and application to enter into a
13 planning process for the preparation and implementation of the
14 habitat conservation plan for public review and comment;

15 (3) A proposed incidental take license as part of a
16 habitat conservation plan or safe harbor agreement; and

17 (4) An application for the registration of land by
18 accretion pursuant to section 501-33 or 669-1(e) for any land
19 accreted along the ocean.

20 (d) The office shall inform the public by the publication
21 of a periodic bulletin to be available to persons requesting



1 this information. The bulletin shall be available through the
2 office [~~and~~], public libraries[-], and on the office's website.

3 (e) The office shall establish, implement, and maintain an
4 interactive website that shall be accessible by the public at no
5 cost. The website shall:

6 (1) Allow the public to register for notifications
7 regarding any action initiated pursuant to this
8 chapter, including notification of:

9 (A) The receipt of any documents or filings relating
10 to any action initiated pursuant to this chapter;

11 (B) Any upcoming hearing, including information
12 regarding the hearing date, time, and location;

13 (C) The opportunity to submit public comments
14 regarding any draft statement submitted to the office
15 by an applicant, provided that this notification shall
16 include a link to provide comments online;

17 (D) The submission of a final statement to the office
18 by an applicant, provided that this notification shall
19 include a hyperlink to the text of any final statement
20 submitted;



- 1 (E) Acceptance or nonacceptance by an agency of a
- 2 final statement made pursuant to section 343-5;
- 3 (F) Any appeal of nonacceptance filed by an
- 4 applicant;
- 5 (G) Any determination of an appeal of nonacceptance
- 6 made by the council;
- 7 (H) Any updates to the relevant statutes, rules, or
- 8 policies relating to the environmental review process;
- 9 and
- 10 (I) Any other aspect of any action or the
- 11 environmental review process as deemed appropriate by
- 12 the office and stakeholders;
- 13 (2) Make available and searchable any document or filing
- 14 received pursuant to this chapter, including reports
- 15 and testimony;
- 16 (3) Allow the public to comment on any draft statement
- 17 during the comment period required by section 343-5;
- 18 (4) Compile and make available all state and county
- 19 environmental impact statements and environmental
- 20 assessments; and



1 (5) Include any additional feature as determined by the
2 office in consultation with its stakeholders."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2021-2022 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2022-2023 for the purpose of establishing, implementing,
8 and maintaining an interactive website pursuant to this Act.

9 The sums appropriated shall be expended by the
10 department of health for the purposes of this Act;
11 provided that no funds shall be released until after the
12 office of environmental quality control consults its
13 stakeholders regarding the establishment of an
14 interactive website pursuant to this Act.

15 SECTION 4. Statutory material to be repealed is
16 bracketed and stricken. New statutory material is
17 underscored.

18 SECTION 5. This Act shall take effect on July 1, 2022.



H.B. NO. 2388

INTRODUCED BY: James Matto
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Report Title:

Office of Environmental Quality Control; Public Records;
Environmental Assessments; Environmental Impact Statements

Description:

Establishes within the Environmental Impact Survey website an interactive section to allow public comments to be submitted online. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

