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# HOUSE RESOLUTION

REQUESTING COLLABORATION TO UPDATE CHAPTER 343, HAWAII REVISED STATUTES, TO REFLECT ALL FACTORS THAT SHALL BE CONSIDERED FOR THE ENVIRONMENTAL IMPACT STATEMENT PROCESS, AND REQUESTING PUBLIC FORUMS TO BE HELD ON THE FUTURE USE OF STATE LANDS CURRENTLY LEASED TO THE MILITARY.

1 WHEREAS, the United States Army's sixty-five-year lease of  
2 approximately twenty-three thousand acres on Hawaii Island is  
3 scheduled to expire in August 2029; and

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5 WHEREAS, different uses of those lands may be subject to  
6 the public review process set forth in Chapter 343, Hawaii  
7 Revised Statutes, regarding environmental impact statements; and

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9 WHEREAS, historically, the military has contracted with  
10 private entities to study and draft the necessary documents to  
11 comply with the requirements of Chapter 343, Hawaii Revised  
12 Statutes; and

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14 WHEREAS, these private entities have been incentivized to  
15 find that the proposed use of the land would have "no  
16 significant impact" because making that finding would encourage  
17 the military to use the services of the private entity in the  
18 future; and

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20 WHEREAS, the entity determining whether the proposed use of  
21 the land would result in a significant impact should instead be  
22 an independent party; and

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24 WHEREAS, Chapter 343, Hawaii Revised Statutes, should be  
25 amended to require a process that requires independent review in  
26 consideration of Hawaiian culture, engineering, the environment,  
27 design, and other concerns; now, therefore,

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29 BE IT RESOLVED by the House of Representatives of the  
30 Thirty-second Legislature of the State of Hawaii, Regular



1 Session of 2023, that the Environmental Advisory Council and  
2 Office of Planning and Sustainable Development are requested to  
3 collaborate with the University of Hawaii to update Chapter 343,  
4 Hawaii Revised Statutes, to reflect all factors that shall be  
5 considered for the environmental impact statement process; and  
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7 BE IT FURTHER RESOLVED that the Environmental Advisory  
8 Council and Office of Planning and Sustainable Development are  
9 requested to collaborate with all applicable departments,  
10 offices, and centers of the University of Hawaii in updating  
11 Chapter 343, Hawaii Revised Statutes, including the  
12 Hawaiiinuiakea School of Hawaiian Knowledge, College of  
13 Engineering, College of Tropical Agriculture and Human  
14 Resources, Department of Natural Resources and Environmental  
15 Management, and School of Architecture; and  
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17 BE IT FURTHER RESOLVED that to prevent incentivizing  
18 privately contracted entities from making findings of "no  
19 significant impact" or other findings beneficial to the  
20 applicant, the Environmental Advisory Council and Office of  
21 Planning and Sustainable Development are requested to include in  
22 their proposed legislation, provisions authorizing the Office of  
23 Planning and Sustainable Development or Department of Land and  
24 Natural Resources to, when necessary, appoint an independent  
25 contractor or another neutral party to prepare the environmental  
26 assessment and, if necessary, the environmental impact  
27 statement; and  
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29 BE IT FURTHER RESOLVED that the Environmental Advisory  
30 Council and Office of Planning and Sustainable Development are  
31 requested to submit a draft report of their findings,  
32 recommendations, and proposed legislation to the Legislature no  
33 later than twenty days prior to the convening of the Regular  
34 Session of 2024; and  
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36 BE IT FURTHER RESOLVED that the Environmental Advisory  
37 Council, Office of Planning and Sustainable Development, and  
38 Department of Land and Natural Resources are requested to gather  
39 public comments on the report and proposed amendments to Chapter  
40 343, Hawaii Revised Statutes, by:  
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1 (1) Posting the report and proposed amendments to  
2 Chapter 343, Hawaii Revised Statutes, on the Office of  
3 Planning and Sustainable Development's website and  
4 accepting written comments by email or other electric  
5 means; and  
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7 (2) Holding at least one public forum in each of the  
8 counties; and  
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10 BE IT FURTHER RESOLVED that by December 31, 2024, the  
11 Environmental Advisory Council, Office of Planning and  
12 Sustainable Development, and the Department of Land and Natural  
13 Resources are requested to hold public forums in communities  
14 near state lands that are currently leased to the military to  
15 solicit community input on the future use of those lands; and  
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17 BE IT FURTHER RESOLVED that the Environmental Advisory  
18 Council and Office of Planning and Sustainable Development are  
19 requested to consider the public comments regarding the report  
20 and proposed amendments, consider the public comments regarding  
21 the future use of the state lands that are leased to the  
22 military, and submit a final report of their updated findings  
23 and recommendations and proposed legislation to the Legislature  
24 no later than twenty days prior to the convening of the Regular  
25 Session of 2025; and  
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27 BE IT FURTHER RESOLVED that certified copies of this  
28 Resolution be transmitted to the Chairperson of the  
29 Environmental Advisory Council, Director of the Office of  
30 Planning and Sustainable Development, and President of the  
31 University of Hawaii, who is then requested to transmit copies  
32 to the heads of the various departments, offices, and centers of  
33 the University of Hawaii mentioned in this measure.

