
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL ASSESSMENTS.

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

1 SECTION 1. The legislature finds that the city and county
2 of Honolulu has adopted ordinances and other requirements
3 regarding the permitting of development projects within special
4 districts, including Waikiki. The legislature further finds
5 that it is thus unnecessary and redundant to require a proposal
6 of any use within the Waikiki special district to undergo an
7 environmental assessment pursuant to section 343-5, Hawaii
8 Revised Statutes.

9 The purpose of this Act is to repeal the requirement that
10 the proposal of:

11 (1) Any use within a historic site as designated in the
12 National Register or Hawaii Register, as provided for
13 in the Historic Preservation Act of 1966, Public Law
14 89-665, or chapter 6E, Hawaii Revised Statutes; and

15 (2) Any use within the Waikiki special district,
16 undergo an environmental assessment.



1 SECTION 2. 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-
15 2(d)(11) or 205-4.5(a)(13) shall only be required
16 pursuant to section 205-5(b);
- 17 (2) Propose any use within any land classified as a
18 conservation district by the state land use commission
19 under chapter 205;
- 20 (3) Propose any use within a shoreline area as defined in
21 section 205A-41;



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



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- 1 (A) Any land classified as a conservation district by
2 the state land use commission under chapter 205;
- 3 (B) A shoreline area as defined in section 205A-41;
4 or
- 5 (C) Any historic site as designated in the National
6 Register or Hawaii Register, as provided for in
7 the Historic Preservation Act of 1966, Public Law
8 89-665, or chapter 6E; or until the statewide
9 historic places inventory is completed, any
10 historic site that is found by a field
11 reconnaissance of the area affected by the
12 helicopter facility and is under consideration
13 for placement on the National Register or the
14 Hawaii Register of Historic Places; and
- 15 [~~(9)~~] (7) Propose any:
- 16 (A) Wastewater treatment unit, except an individual
17 wastewater system or a wastewater treatment unit
18 serving fewer than fifty single-family dwellings
19 or the equivalent;
- 20 (B) Waste-to-energy facility;
- 21 (C) Landfill;



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- 1 (D) Oil refinery; or
- 2 (E) Power-generating facility."

3 SECTION 3. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY: Gary Johnson B/R
JAN 25 2023



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Report Title:

Environmental Assessments; Historic Sites; Waikiki

Description:

Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.

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