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## A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL REVIEW.

**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 under chapter 343, Hawaii Revised  
3 Statutes (chapter 343), was designed to evaluate new projects  
4 having potential environmental impacts. However, recent court  
5 decisions have broadened the definition of an environmental  
6 "action." The new definition inadvertently includes  
7 long-standing, historically permitted activities in  
8 State-managed areas like ocean recreation management areas,  
9 marine life conservation districts, and game management areas.  
10       The legislature recognizes that this unintended expansion  
11 jeopardizes law-abiding operations, including commercial  
12 boating, and recreational activities that are already regulated  
13 under strict administrative rules that are designed to protect  
14 Hawaii's natural resources. The legislature believes that  
15 subjecting these activities to additional review under chapter  
16 343 creates redundancies and disrupts compliant operations.



1       Accordingly, the purpose of this Act is to maintain the  
2       State's environmental standards while fostering regulatory  
3       efficiency by clarifying the scope of chapter 343 to exclude  
4       activities that are already permitted and regulated.

5       SECTION 2. Section 343-2, Hawaii Revised Statutes, is  
6       amended by amending the definition of "action" to read as  
7       follows:

8       "\"Action\" means any program or project to be initiated by  
9       any agency or applicant[-]; provided that the term does not  
10      include ongoing or recurring activities that have been lawfully  
11      permitted and are governed by applicable administrative rules or  
12      management plans within state-managed areas, including ocean  
13      recreation management areas, marine life conservation districts,  
14      and game management areas.\"

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

18      SECTION 4. New statutory material is underscored.

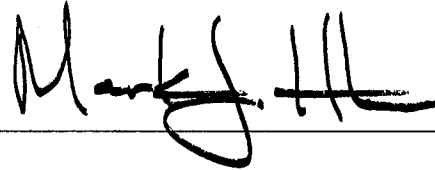


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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mark J. Miller", is written over a horizontal line.

JAN 17 2025



# H.B. NO. 658

**Report Title:**

Environmental Review; Permitted Activities

**Description:**

Clarifies the scope of an action subject to environmental review.

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

