
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1 SECTION 1. The legislature finds that people of color bear
2 the heavy burden of environmental racism and have been
3 systemically excluded from decision-making matters impacting
4 their environment. The legislature further finds that people of
5 color are unequally protected against environmental hazards
6 stemming from projects that are deliberately located in certain
7 communities. This inequitable treatment results in
8 disproportionate exposure to toxic chemicals and hazardous waste
9 in communities on the west side of Oahu, such as Ewa, Kapolei,
10 Nanakuli, Makaha, Maili, and Waianae; Kahuku; Laie; and
11 Waimanalo.

12 The legislature finds the environmental concerns of these
13 communities are not being adequately addressed. Accordingly,
14 the legislature believes that future projects that have an
15 environmental impact, such as landfills, industrial energy
16 projects, and projects that affect access to clean water, should



1 be subject to public hearings in the communities that will be
2 affected by those projects.

3 Accordingly, the purpose of this Act is to require, for
4 each draft environmental impact statement, a public hearing in
5 the community directly affected by the underlying proposed
6 action.

7 SECTION 2. Chapter 343, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§343- Public hearings; affected communities. (a) Each
11 draft environmental impact statement that is subject to a public
12 review and comment period pursuant to section 343-5 shall also
13 be subject to a public hearing, to be conducted by the office on
14 the last day of the public review and comment period, within the
15 community directly affected by the proposed action.

16 (b) The office shall adopt rules pursuant to chapter 91
17 necessary for the purposes of this section, including rules to:

18 (1) Determine a community directly affected by a proposed
19 action; and

20 (2) Establish procedures for giving timely notice to the
21 public of each public hearing."



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

4 SECTION 4. New statutory material is underscored.

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



Report Title:

Proposed Actions; Environmental Impact Statements; Hearings;
Notice

Description:

Requires, for each draft environmental impact statement, a
public hearing in the community directly affected by the
underlying proposed action. (SD1)

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not legislation or evidence of legislative intent.*

