
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 it
5 unnecessary and redundant to require all proposals for any use
6 within the Waikiki special district to undergo an environmental
7 assessment pursuant to section 343-5, Hawaii Revised Statutes.

8 Accordingly, the purpose of this Act is to repeal the
9 environmental assessment requirement for proposed actions within
10 the Waikiki special district.

11 SECTION 2. Section 343-5, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Except as otherwise provided, an environmental
14 assessment shall be required for actions that:

- 15 (1) Propose the use of state or county lands or the use of
16 state or county funds, other than funds to be used for
17 feasibility or planning studies for possible future



1 programs or projects that the agency has not approved,
2 adopted, or funded, or funds to be used for the
3 acquisition of unimproved real property; provided that
4 the agency shall consider environmental factors and
5 available alternatives in its feasibility or planning
6 studies; provided further that an environmental
7 assessment for proposed uses under section
8 205-2(d)(11) or 205-4.5(a)(13) shall only be required
9 pursuant to section 205-5(b);

10 (2) Propose any use within any land classified as a
11 conservation district by the state land use commission
12 under chapter 205;

13 (3) Propose any use within a shoreline area as defined in
14 section 205A-41;

15 (4) Propose any use within any historic site as designated
16 in the National Register or Hawaii Register, as
17 provided for in the Historic Preservation Act of 1966,
18 Public Law 89-665, or chapter 6E;

19 ~~[-(5) Propose any use within the Waikiki area of Oahu, the~~
20 ~~boundaries of which are delineated in the land use~~



~~ordinance as amended, establishing the "Waikiki
Special District";~~

~~(6)]~~ (5) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation, except actions proposing any new county general plan or amendments to any existing county general plan initiated by a county;

~~(7)]~~ (6) Propose any reclassification of any land classified as a conservation district by the state land use commission under chapter 205;

~~(8)]~~ (7) Propose the construction of new or the expansion or modification of existing helicopter facilities within the State, that by way of their activities, may affect:

(A) Any land classified as a conservation district by the state land use commission under chapter 205;

(B) A shoreline area as defined in section 205A-41;
or

(C) Any historic site as designated in the National Register or Hawaii Register, as provided for in



1 the Historic Preservation Act of 1966, Public Law
2 89-665, or chapter 6E; or until the statewide
3 historic places inventory is completed, any
4 historic site that is found by a field
5 reconnaissance of the area affected by the
6 helicopter facility and is under consideration
7 for placement on the National Register or the
8 Hawaii Register of Historic Places; and

9 [~~49~~] (8) Propose any:

- 10 (A) Wastewater treatment unit, except an individual
11 wastewater system or a wastewater treatment unit
12 serving fewer than fifty single-family dwellings
13 or the equivalent;
- 14 (B) Waste-to-energy facility;
- 15 (C) Landfill;
- 16 (D) Oil refinery; or
- 17 (E) Power-generating facility."

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



- 1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Environmental Assessments; Waikiki Special District

Description:

Removes proposed actions within the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS. Effective 7/1/3000. (HD1)

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