

JAN 21 2026

A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL ASSESSMENTS.

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

1 SECTION 1. 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);



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

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

6 (4) Propose any use within any historic site:
7 (A) Site as designated in the National Register or
8 Hawaii Register, as provided for in the Historic
9 Preservation Act of 1966, Public Law 89-665, or
10 chapter 6E;
11 (B) Property considered significant pursuant to
12 section 284-6(b) (5), chapter 13, of the Hawaii
13 administrative rules; or
14 (C) Property recognized as a traditional cultural
15 property by the state historic preservation
16 division pursuant to section 6E-42;
17 (5) Propose any use within the Waikiki area of Oahu, the
18 boundaries of which are delineated in the land use
19 ordinance as amended, establishing the "Waikiki
20 Special District";



- 1 (6) Propose any amendments to existing county general
2 plans where the amendment would result in designations
3 other than agriculture, conservation, or preservation,
4 except actions proposing any new county general plan
5 or amendments to any existing county general plan
6 initiated by a county;
- 7 (7) Propose any reclassification of any land classified as
8 a conservation district by the state land use
9 commission under chapter 205;
- 10 (8) Propose the construction of new or the expansion or
11 modification of existing helicopter facilities within
12 the State, that by way of their activities, may
13 affect:
 - 14 (A) Any land classified as a conservation district by
15 the state land use commission under chapter 205;
 - 16 (B) A shoreline area as defined in section 205A-41;
17 or
 - 18 (C) Any historic site as designated in the National
19 Register or Hawaii Register, as provided for in
20 the Historic Preservation Act of 1966, Public Law
21 89-665, or chapter 6E; or until the statewide



1 historic places inventory is completed, any
2 historic site that is found by a field
3 reconnaissance of the area affected by the
4 helicopter facility and is under consideration
5 for placement on the National Register or the
6 Hawaii Register of Historic Places; and

7 (9) Propose any:

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

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Mike Gabbar



S.B. NO. 2322

Report Title:

Environmental Assessment; Environmental Impact Statement; Requirement; Significant Historic Properties; Traditional Cultural Properties

Description:

Requires that an environmental assessment be conducted and an environmental impact statement be prepared for any proposed use within historic properties considered significant or recognized as a traditional cultural property.

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