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# 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  
15 205-2(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 as~~]  
7           property:
- 8           (A) As designated in the Hawaii or National Register  
9           [~~or Hawaii Register,~~] of Historic Places, as  
10          provided for in the Historic Preservation Act of  
11          1966, Public Law 89-665, or chapter 6E;
- 12          (B) That has important value to the native Hawaiian  
13          people or to another ethnic group of the State  
14          due to associations with cultural practices once  
15          carried out, or still carried out, at the  
16          property or due to associations with traditional  
17          beliefs, events, or oral accounts, these  
18          associations being important to the group's  
19          history and cultural identity; or



- 1           (C) Determined to be eligible as a traditional  
2                   cultural property or place on the National  
3                   Register of Historic Places;
- 4           (5) Propose any use within the Waikiki area of Oahu, the  
5                   boundaries of which are delineated in the land use  
6                   ordinance as amended, establishing the "Waikiki  
7                   Special District";
- 8           (6) Propose any amendments to existing county general  
9                   plans where the amendment would result in designations  
10                  other than agriculture, conservation, or preservation,  
11                  except actions proposing any new county general plan  
12                  or amendments to any existing county general plan  
13                  initiated by a county;
- 14           (7) Propose any reclassification of any land classified as  
15                  a conservation district by the state land use  
16                  commission under chapter 205;
- 17           (8) Propose the construction of new or the expansion or  
18                  modification of existing helicopter facilities within  
19                  the State, that by way of their activities, may  
20                  affect:



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



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

4 SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2050.



**Report Title:**

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

**Description:**

Requires that an environmental assessment be conducted and an environmental impact statement be prepared for any proposed use within historic properties designated by the Hawaii or National Register of Historic Places, important to native Hawaiian people or to another ethnic group of the State, or determined to be eligible as a traditional cultural property or place on the National Register of Historic Places. Effective 7/1/2050.  
(SD1)

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

