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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. 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 proposals within:

- 10           (1) A historic site as designated in the National Register  
11                 or Hawaii Register, as provided for in the Historic  
12                 Preservation Act of 1966, Public Law 89-665, or  
13                 chapter 6E, Hawaii Revised Statutes; or  
14           (2) The Waikiki special district.

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



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

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

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

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

20           ~~[(4) Propose any use within any historic site as designated~~  
21           ~~in the National Register or Hawaii Register, as~~



1 ~~provided for in the Historic Preservation Act of 1966,~~  
2 ~~Public Law 89-665, or chapter 6E;~~

3 ~~(5) Propose any use within the Waikiki area of Oahu, the~~  
4 ~~boundaries of which are delineated in the land use~~  
5 ~~ordinance as amended, establishing the "Waikiki~~  
6 ~~Special District";~~

7 ~~(6)]~~ (4) Propose any amendments to existing county general  
8 plans where the amendment would result in designations  
9 other than agriculture, conservation, or preservation,  
10 except actions proposing any new county general plan  
11 or amendments to any existing county general plan  
12 initiated by a county;

13 ~~[(7)]~~ (5) Propose any reclassification of any land  
14 classified as a conservation district by the state  
15 land use commission under chapter 205;

16 ~~[(8)]~~ (6) Propose the construction of new or the expansion  
17 or modification of existing helicopter facilities  
18 within the State, that by way of their activities, may  
19 affect:

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



- 1 (B) A shoreline area as defined in section 205A-41;
- 2 or
- 3 (C) Any historic site as designated in the National
- 4 Register or Hawaii Register, as provided for in
- 5 the Historic Preservation Act of 1966, Public Law
- 6 89-665, or chapter 6E; or until the statewide
- 7 historic places inventory is completed, any
- 8 historic site that is found by a field
- 9 reconnaissance of the area affected by the
- 10 helicopter facility and is under consideration
- 11 for placement on the National Register or the
- 12 Hawaii Register of Historic Places; and
- 13 [~~(9)~~] (7) Propose any:
- 14 (A) Wastewater treatment unit, except an individual
- 15 wastewater system or a wastewater treatment unit
- 16 serving fewer than fifty single-family dwellings
- 17 or the equivalent;
- 18 (B) Waste-to-energy facility;
- 19 (C) Landfill;
- 20 (D) Oil refinery; or
- 21 (E) Power-generating facility."



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

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

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INTRODUCED BY: 



# S.B. NO. 2997

**Report Title:**

Environmental Assessments; Historic Sites; Waikiki

**Description:**

Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.

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

