

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Tuesday, February 17, 2026
9:30 AM
State Capitol, 325

HB2334, HD1
RELATING TO TRANSPORTATION ENVIRONMENTAL REVIEW

House Committee on Energy & Environmental Protection

The Department of Transportation (DOT) strongly supports HB2334,HD1, which authorizes the Department of Transportation to assume federal environmental review responsibilities under the National Environmental Policy Act of 1969 (NEPA) for transportation projects within the State. This legislation aligns with the Department's objectives to streamline project delivery while maintaining robust environmental protections.

The bill enables the Department to participate in the National Environmental Policy Act Assignment Program under 23 U.S.C. §§ 326 and 327. NEPA Assignment is a well-established federal program that allows qualified state DOTs to assume certain federal environmental review responsibilities while remaining fully accountable under federal environmental law. Multiple states already operate successfully under NEPA Assignment, including Alaska, Arizona, California, Florida, Nebraska, Ohio, Texas, and Utah.

The bill specifically provides for a limited waiver of sovereign immunity to comply with federal requirements under 23 U.S.C. § 326(b)(4) and § 327(c)(3)(B), ensuring that the Department can effectively carry out its assigned responsibilities. The limited waiver of sovereign immunity is a federal prerequisite to pursue NEPA assignment.

By assuming these federal environmental review responsibilities, the Department will gain greater control over project timelines and reduce dependency on federal agencies such as the Federal Highway Administration. This enhanced autonomy will improve the efficiency of transportation infrastructure development, particularly for highways, airports, and harbors, thereby supporting economic growth and public safety while maintaining environmental safeguards and public transparency.

Furthermore, the bill requires the Department to adopt relevant federal environmental standards as state standards, ensuring that environmental protections remain consistent with federal guidelines. The inclusion of provisions for entering into memoranda of understanding with the U.S. Department of Transportation also facilitates clear coordination and compliance with federal mandates. Finally, these programs are not "set it and forget it." The Federal Highway Administration monitors performance through required audits (especially in early years), and audit findings are publicly noticed and documented.

Thank you for the opportunity to testify in support of this bill.

HB-2334-HD-1

Submitted on: 2/12/2026 11:02:46 PM

Testimony for EEP on 2/17/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

334 HB RELATING TO TRANSPORTATION ENVIRONMENTAL REVIEW.

HB-2334-HD-1

Submitted on: 2/13/2026 5:27:33 PM

Testimony for EEP on 2/17/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I am glad to see this proposal continue advancing through the legislative process. We've got to do more to streamline and reduce the regulatory and permitting burdens impacting so many. This bill is a ***MAJOR ADVANCEMENT*** to accomplish that goal. I **STRONGLY** urge the committee to **SUPPORT** this bill!