

ACT 219

H.B. NO. 2624-82

A Bill for an Act Relating to Forest and Water Reserve Zones.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to provide for an extension to the applicant when required to submit an environmental impact statement by the department of land and natural resources after submitting an environmental impact assessment with the conservation district use application.

SECTION 2. Chapter 183-41, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“§183-41 Forest and water reserve zones. (a) There are hereby established forest and water reserve zones in each of the counties. These zones shall initially encompass all of those areas in the various counties, either government or privately owned, contained within the forest reserve boundaries as established on January 21, 1957. No use, except a nonconforming use as defined in subsection (b), shall be made of such areas unless such use is in accord with a zoning regulation adopted pursuant to subsection (c)(3), or unless such use is allowed under a temporary variance granted by the department of land and natural resources; provided that any owner of land within the forest reserve boundaries who shall desire to establish a use or uses for his land, or a greater or different use or uses, if his land is classed as nonconforming shall make application in accordance with subsection (d), and if within one hundred eighty days after receipt of the application the department shall fail to give notice, hold a hearing, and render a decision consistent with the standards set forth in subsection (c)(1) the owner may automatically put his land to the use or uses requested in his application. When an environmental impact statement is required pursuant to chapter 343 of the Hawaii Revised Statutes, the one hundred eighty days may be extended to an additional ninety days at the request of the applicant. Any requests for additional extensions shall be subject to the approval of the board.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 12, 1982.)