

ACT 93

H.B. NO. 1352

A Bill for an Act Relating to Surplus Military Land.

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

SECTION 1. The legislature finds that many properties in the State are under federal ownership or control and are being, or have been, used as military

facilities. This use has resulted in contamination of the water and soil on and adjacent to many of these properties, or created hazards, such as from the presence of unexploded ordnance.

The upcoming expiration of land leases between the State and the United States federal government and the return to the State of ceded lands requires a proactive approach by the State.

Accordingly, the purpose of this Act is to gather data on federally leased and controlled lands, the condition of these lands, and potential alternative uses of these lands should they be returned to the State.

SECTION 2. (a) The office of planning shall seek input from all executive branch departments and agencies and the office of Hawaiian affairs on remediation and restoration needs of, and proposed alternative uses for, the lands identified pursuant to section 3 that would be consistent with the respective missions of those departments and agencies if the lands are returned to the State.

(b) The office of planning shall submit a report to the legislature, no later than twenty days prior to the convening of the regular session of 2022, containing the following:

- (1) The inventory report prepared by the department of land and natural resources pursuant to section 3 of this Act;
- (2) The report prepared by the department of health pursuant to section 4 of this Act;
- (3) Input derived pursuant to subsection (a); and
- (4) The office of planning's findings and recommendations based on the information gathered pursuant to paragraph (3) and sections 3 and 4 of this Act, including any proposed legislation.

SECTION 3. The department of land and natural resources shall submit to the office of planning, no later than a date to be determined by the office of planning, an inventory report of all lands within the State that are leased to the federal government or under federal government control, including information pertaining to lease expiration dates, plans to close any military facilities on those lands, and other relevant information.

SECTION 4. The department of health shall consult with the Environmental Protection Agency and submit to the office of planning, no later than a date to be determined by the office of planning, a report identifying any known contaminants or environmental hazards discovered on the lands identified pursuant to section 3 or associated with past environmental studies performed in connection with those lands.

SECTION 5. This Act shall take effect on July 1, 2021.

(Approved June 25, 2021.)