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## A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

**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;

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

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



- 1           (4) Propose any use within any historic site as designated  
2                   in the National Register or Hawaii Register, as  
3                   provided for in the Historic Preservation Act of 1966,  
4                   Public Law 89-665, or chapter 6E;
- 5           (5) Propose any use within the Waikiki area of Oahu, the  
6                   boundaries of which are delineated in the land use  
7                   ordinance as amended, establishing the "Waikiki  
8                   Special District";
- 9           (6) Propose any amendments to existing county general  
10                   plans where the amendment would result in designations  
11                   other than agriculture, conservation, or preservation,  
12                   except actions proposing any new county general plan  
13                   or amendments to any existing county general plan  
14                   initiated by a county;
- 15           (7) Propose any reclassification of any land classified as  
16                   a conservation district by the state land use  
17                   commission under chapter 205;
- 18           (8) Propose the construction of new or the expansion or  
19                   modification of existing helicopter facilities within  
20                   the State[7] that, 1 by way of their activities, may  
21                   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 National  
6 Register or Hawaii Register, as provided for in  
7 the Historic Preservation Act of 1966, Public Law  
8 89-665, or chapter 6E; or until the statewide  
9 historic places inventory is completed, any  
10 historic site that is found by a field  
11 reconnaissance of the area affected by the  
12 helicopter facility and is under consideration  
13 for placement on the National Register or the  
14 Hawaii Register of Historic Places; [~~and~~]
- 15 (9) Propose any:
- 16 (A) Wastewater treatment unit, except an individual  
17 wastewater system or a wastewater treatment unit  
18 serving fewer than fifty single-family dwellings  
19 or the equivalent;
- 20 (B) Waste-to-energy facility;
- 21 (C) Landfill;
- 22 (D) Oil refinery; or



1 (E) Power-generating facility[-]; and  
2 (10) Propose any land use reclassification, amendment to  
3 any county community, development, or community  
4 development plan, or change in zoning for any  
5 development of land with a slope of twenty per cent or  
6 more."

7 SECTION 2. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun, before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

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

13

INTRODUCED BY:



JAN 25 2006



**Report Title:**

Environmental Impact Statements

**Description:**

Requires preparation of an environmental assessment for land use designation, community plan amendment, or change in zoning for real estate development on lands with slope of 20% or more.

