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## A BILL FOR AN ACT

RELATING TO CHAPTER 343, HAWAII REVISED STATUTES.

**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 "§343-5 **Applicability and requirements.** (a) Except as  
4 otherwise provided, an environmental assessment shall be  
5 required for actions that:

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



- 1           (2) Propose any use within any land classified as a  
2                   conservation district by the state land use commission  
3                   under chapter 205;
- 4           (3) Propose any use within a shoreline area as defined in  
5                   section 205A-41;
- 6           (4) Propose any use within any historic site as designated  
7                   in the National Register or Hawaii Register, as  
8                   provided for in the Historic Preservation Act of 1966,  
9                   Public Law 89-665, or chapter 6E;
- 10          (5) Propose any use within the Waikiki area of Oahu, the  
11               boundaries of which are delineated in the land use  
12               ordinance as amended, establishing the "Waikiki  
13               Special District";
- 14          (6) Propose any amendments to existing county general  
15               plans where the amendment would result in designations  
16               other than agriculture, conservation, or preservation,  
17               except actions proposing any new county general plan  
18               or amendments to any existing county general plan  
19               initiated by a county;
- 20          (7) Propose any reclassification of any land classified as  
21               a conservation district by the state land use  
22               commission under chapter 205;



1           (8) Propose the construction of new or the expansion or  
2           modification of existing helicopter facilities within  
3           the State, that by way of their activities, may  
4           affect:

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

7           (B) A shoreline area as defined in section 205A-41;  
8           or

9           (C) Any historic site as designated in the National  
10          Register or Hawaii Register, as provided for in  
11          the Historic Preservation Act of 1966, Public Law  
12          89-665, or chapter 6E; or until the statewide  
13          historic places inventory is completed, any  
14          historic site that is found by a field  
15          reconnaissance of the area affected by the  
16          helicopter facility and is under consideration  
17          for placement on the National Register or the  
18          Hawaii Register of Historic Places; and

19          (9) Propose any:

20          (A) Wastewater treatment unit, except an individual  
21          wastewater system or a wastewater treatment unit



- 1                   serving fewer than fifty single-family dwellings
- 2                   or the equivalent;
- 3                   (B) Waste-to-energy facility;
- 4                   (C) Landfill;
- 5                   (D) Oil refinery; or
- 6                   (E) Power-generating facility."

7                   SECTION 2. New statutory material is underscored.

8                   SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:           Gene Ward          

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          AM                  

JAN 23 2008

**Report Title:**

Environmental Impact Statements

**Description:**

Clarifies application of chapter 343.

