

JAN 18 2008

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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. Chapter 343, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§343-       Time limitation on validity of environmental  
5 assessment, impact statement, or exemption; new submissions.

6           (a) If a period of ten years or more has elapsed on a proposed  
7 action since:

8           (1) The acceptance of a final environmental impact  
9           statement;

10          (2) The preparation of an environmental assessment for  
11          which there is a finding of no significant impact; or

12          (3) A proposed action that is of a list of classes of  
13          actions that, because they will probably have minimal  
14          or no significant effect on the environment, was  
15          declared exempt by the proposing agency or approving  
16          agency from the preparation of an environmental  
17          assessment,



1 then a new environmental assessment or environmental impact  
2 statement, as applicable, shall be required if the proposed  
3 action has not been completed.

4 (b) A proposed action that is subject to subsection (a) (1)  
5 or (2) shall cease pending the preparation and submission of new  
6 documentation.

7 (c) A proposed action that is subject to subsection (a) (3)  
8 shall require an application to the council to review the  
9 proposed action for a determination of whether an exemption  
10 should apply, notwithstanding that the proposed action was  
11 previously exempt.

12 (d) The contents of the required documentation under  
13 subsections (b) and (c) shall be the same as for the required  
14 contents of the previous draft and final statements; provided  
15 that any new or changed circumstances or conditions shall be  
16 addressed.

17 (e) Acceptance of a final statement under this section  
18 shall be a condition precedent to commencement or continuation  
19 of the proposed action.

20 (f) Procedures under this section, except as otherwise  
21 provided in this section, shall be the same as other procedures  
22 under this chapter."

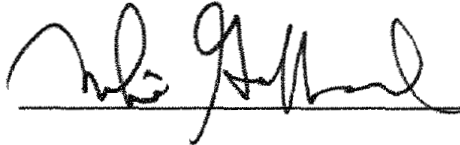


# S.B. NO. 2370

1 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: 



**Report Title:**

Environmental Assessments; Environmental Impact Statements

**Description:**

Requires that a new environmental assessment and environmental impact statement be done if the last one done is over ten years old.

