
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- Exception to applicability of chapter. (a)
5 Notwithstanding any other law to the contrary, any primary
6 action that requires a permit or approval from an approving
7 agency that is not subject to the discretionary consent of the
8 approving agency and that involves a secondary action limited to
9 the installation, improvement, renovation, construction, or
10 development of infrastructure within an existing public right-
11 of-way or highway shall be exempt from this chapter; provided
12 that, if the infrastructure:

13 (1) Is not within an existing public right-of-way or
14 highway; or
15 (2) May have a significant effect on the environment,
16 this section shall not apply.

17 (b) As used in this section, "infrastructure" includes but
18 is not limited to waterlines and water facilities, wastewater



1 lines and wastewater facilities, gas lines and gas facilities,
2 drainage facilities, electrical, communications, telephone, and
3 cable television utilities, and highway, roadway, and driveway
4 improvements."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2050, and
7 shall be repealed on July 1, 2011.



Report Title:

Environmental Assessments; State and County Lands; Exemption

Description:

Exempts from the purview of Chapter 343, HRS, the environmental review law, primary actions that require a ministerial permit, that involve secondary actions relating to infrastructure development within public right-of-ways that have no significant effect on the environment. (HB640 HD1)

