

Honolulu, Hawaii
February 12, 2016

RE: H.B. No. 1657
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and
Water & Land, to which was referred H.B. No. 1657 entitled:

"A BILL FOR AN ACT RELATING TO NOTICE TO THE PUBLIC IN THE
ENVIRONMENTAL REVIEW PROCESS,"

beg leave to report as follows:

The purpose of this measure is to enhance public participation in the environmental review process by requiring a proposing or approving agency to ensure that a notice of preparation is posted in a conspicuous place and manner at any particular site or sites that may be directly impacted by an action, at an early planning stage prior to the drafting of an environmental assessment or impact statement preparation notice.

The Office of Hawaiian Affairs, Society for Hawaiian Archaeology, and a few concerned individuals supported this measure. The Department of Land and Natural Resources and Land Use Research Foundation of Hawaii opposed the measure. The Office of Environmental Quality Control submitted comments.

Your Committees have amended this measure by:

- (1) Removing the requirement that a notice of preparation be posted and instead establishing a notice of preparation Pilot Program (Pilot Program) to require the Office of Hawaiian Affairs to ensure that a notice of preparation is posted in a conspicuous place and manner at any




particular site or sites that may be directly impacted by an action, at an early planning stage prior to the drafting of an environmental assessment or impact statement preparation notice, for projects commenced by itself or in partnership with another agency of the State or any of its counties;

- (2) Requiring the Office of Hawaiian Affairs, no later than 20 days prior to the convening of the Regular Session of 2020, to submit to the Legislature a report of its findings and recommendations, including any proposed legislation, regarding the Pilot Program; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1657, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1657, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Water & Land,



RYAN I. YAMANE, Chair



CHRIS LEE, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 224-14

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1657	Committee Referral: EEP/WAL, JUD, FIN	Date: 2-9-2016		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. CULLEN, Ty J.K. (VC)	✓			
3. EVANS, Cindy	✓			
4. ING, Kaniela	✓			
5. LEE, Chris	✓			
6. LOWEN, Nicole E.	✓			
7. NISHIMOTO, Scott Y.				✓
8. SAY, Calvin K.Y.	✓			
9. POUHA, Feki	✓			
10. THIELEN, Cynthia	✓			
TOTAL (10)	9	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				