



# OFFICE OF PLANNING STATE OF HAWAII

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Statement of  
**MARY ALICE EVANS**  
Director, Office of Planning  
before the  
**SENATE COMMITTEE ON WAYS AND MEANS**  
Thursday, February 20, 2020  
10:35 AM  
State Capitol, Conference Room 211

in consideration of  
**SB 2663, SD1**  
**RELATING TO THE ENVIRONMENTAL IMPACT STATEMENT LAW.**

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Senate Committee on Ways and Means.

The Office of Planning (OP) **opposes** SB 2663, SD1 that would amend § 343-5, Hawaii Revised Statutes, to require the preparation of a supplemental environmental assessment or a supplemental environmental impact statement if the proposed action has not been implemented within fifteen years of the date of a determination of a finding of no significant impact or the acceptance of the environmental impact statement.

The criteria for determining if a supplemental environmental impact statement (EIS) is required is found in Hawaii Administrative Rules § 11-200.1-30 (a) which states in part:  
*“An EIS that is accepted with respect to a particular action shall satisfy the requirements of this chapter and no supplemental EIS for that proposed action shall be required, to the extent that the action has not changed substantively in size, scope, intensity, use, location, or timing, among other things. If there is any change in any of these characteristics which may have a significant effect, the original EIS that was changed shall no longer be valid because an essentially different action would be under consideration and a supplemental EIS shall be prepared and reviewed as provided by this chapter.”*

OP finds the current rule provides sufficiently precise criteria for determining the need for a supplemental EIS rather than assigning an arbitrary shelf-life to the original EIS. Large-scale developments or infrastructure projects are often built in phases over decades due to financial or market considerations. Requiring a supplemental EIS if the action is not implemented within fifteen years without considering whether any new or additional significant impacts are likely to exist can add unnecessary costs or delay to the project.

Thank you for this opportunity to testify.



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

**LATE**

**HEARING BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS  
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211  
THURSDAY, FEBRUARY 20, 2020 AT 10:35 A.M.**

To The Honorable Donovan M. Dela Cruz, Chair;  
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair; and  
Members of the Committee on Ways and Means,

**COMMENTS ON TO SB2663 RELATING TO  
THE ENVIRONMENTAL IMPACT STATEMENT LAW**

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce, with approximately 650 members. I am writing share our comments on SB2663.

We appreciate the changes to the bill that require the supplemental EA/EIS after 15 years if the proposed action is not implemented. This change would be acceptable to us if it is solely dependent upon the developer's actions. However, our concern is if no action is taken because of a state or county requirement that could not be met either because of lack of area infrastructure or additional cost being imposed on the developer that did not make the project pencil out at that time, etc. If there has been no work or movement on a project and no correspondence with state or county government explaining any obstacle they need to overcome, then this would be reasonable.

We appreciate the opportunity to testify on this matter.

Sincerely,

*Pamela Tumpap*

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

**SB-2663-SD-1**

Submitted on: 2/17/2020 10:56:31 PM

Testimony for WAM on 2/20/2020 10:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa Parsons	Individual	Support	No

Comments:

No EIS should stand in perpetuity.