

JAN 21 2022

S.B. NO. 2448

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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that people of color have  
2 borne the heavy burden of environmental racism and have been  
3 systemically excluded from decision-making matters impacting  
4 their environment. The legislature further finds that people of  
5 color are unequally protected against environmental hazards  
6 stemming from projects that are deliberately located in certain  
7 communities. This unequal treatment results in disproportionate  
8 exposure to toxic chemicals and hazardous waste in communities  
9 on the west side of Oahu, such as Ewa, Kapolei, Nanakuli,  
10 Makaha, Maili, and Waianae; Kahuku; Laie; and Waimanalo.

11       The legislature finds the environmental concerns of these  
12 communities are not being adequately heard. Accordingly, the  
13 legislature believes that future projects that have an  
14 environmental impact, such as landfills, industrial energy  
15 projects, and projects that affect access to clean water,  
16 should be subject to public hearings in communities that will be  
17 directly affected by those projects.



1       Accordingly, the purpose of this Act is to require for each  
2       draft environmental assessment and draft environmental impact  
3       statement a public hearing in any community that will be  
4       directly affected by the underlying proposed action.

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

8       "**§343-       Public hearings; affected communities.**   (a)

9       Each draft environmental assessment and draft environmental  
10      impact statement that is subject to a public review and comment  
11      period pursuant to section 343-5 shall also be subject to a  
12      public hearing, to be conducted by the office on the last day of  
13      the public review and comment period, within any community that  
14      shall be directly affected by the proposed action.

15      (b) The office shall adopt rules, pursuant to chapter 91,  
16      necessary for the purposes of this section, including rules to:

17      (1) Determine a community directly affected by a proposed  
18      action; and

19      (2) Establish procedures for giving timely notice to the  
20      public of each public hearing."



1       SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4       SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6       SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: Kurt Favelle



# S.B. NO. 2448

**Report Title:**

Proposed Actions; Environmental Impact Statements; Hearings

**Description:**

Requires for each draft environmental assessment and draft environmental impact statement a public hearing in the community directly affected by the underlying proposed action.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

