

STAND. COM. REP. NO.

1717

Honolulu, Hawaii

MAR 30 , 2023

RE: H.R. No. 71

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.R. No. 71 entitled:

"HOUSE RESOLUTION REQUESTING THE ENVIRONMENTAL ADVISORY COUNCIL AND OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT TO COLLABORATE WITH THE UNIVERSITY OF HAWAII TO UPDATE CHAPTER 343, HAWAII REVISED STATUTES, TO REFLECT ALL FACTORS THAT SHALL BE CONSIDERED FOR THE ENVIRONMENTAL IMPACT STATEMENT PROCESS, AND REQUESTING THE OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO HOLD PUBLIC FORUMS ON THE FUTURE USE OF STATE LANDS CURRENTLY LEASED TO THE MILITARY,"

begs leave to report as follows:

The purpose of this measure is to request collaboration between various agencies to update chapter 343, Hawaii Revised Statutes, to reflect all factors that shall be considered for the environmental impact statement process, and request public forums be held on the future use of state lands currently leased to the military.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, and State Environmental Advisory Council.

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Your Committee finds that the United States Army's sixty-five-year lease of approximately twenty-three thousand acres on Hawaii Island is scheduled to expire in August 2029. Before a new military lease can be issued for these lands, an environmental impact statement and public review of the proposed use must be completed. Your Committee further finds that there is a concern that private entities contracted with the United States Army to prepare the necessary study and documents may be incentivized to find that the proposed use of the land would have "no significant impact" as such a finding would encourage the United States Army to use the services of the private entity in the future. This measure is intended to ensure that the environmental impact of any proposed use of state lands by the United States Army or other military branches are accurately assessed by requesting the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Environmental Advisory Council, and University of Hawai'i to collaborate to develop and recommend amendments to chapter 343, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Requesting the Office of Planning and Sustainable Development, rather than the Department of Land and Natural Resources, to post the report and proposed amendments to its website;
- (2) Requesting the Environmental Advisory Council, Office of Planning and Sustainable Development, and Department of Land and Natural Resources to convene public forums in communities near state lands that are currently leased to the military by December 31, 2024;
- (3) Changing its title to make technical amendments; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 71, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 71, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,

FOR 
LINDA ICHIYAMA, Chair



