

S.B. NO. 3047

JAN 24 2024

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- Certain affordable housing developments;
5 exemption; qualifications. (a) Notwithstanding any
6 requirements of this chapter to the contrary, the construction
7 of a new affordable housing project that:

- 8 (1) Is subject to this chapter due solely to its proposing
9 a use of state or county lands or funds or a use
10 within the Waikiki special district;
- 11 (2) Is located within the state urban land use district,
12 or is located in the state agricultural land use
13 district and is no larger than fifteen acres in size,
14 is contiguous with a parcel that has a state urban
15 land use district classification, and is not
16 designated as important agricultural lands; and

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1 (3) Does not require a variance for a shoreline setback
2 and is not located in an environmentally sensitive
3 area,
4 shall be exempt from the requirements of this chapter.

5 (b) As used in this section:

6 (1) The term "affordable housing project" is defined by
7 the applicable controlling law for the state or county
8 agency that is either developing or approving the
9 project; and

10 (2) The term "environmentally sensitive area" includes,
11 but is not limited to, a flood plain, a tsunami zone,
12 a sea level rise exposure area, a beach, an erosion-
13 prone area, geologically hazardous land, an estuary,
14 fresh waters, or coastal waters.

15 (c) This section shall apply to the development, planning,
16 permitting, and construction of all new affordable housing
17 projects that occur after the effective date of this Act."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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Report Title:

Environmental Impact Statements; Exemption; Affordable Housing

Description:

Codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria.

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

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

PURPOSE: To exempt affordable housing projects within the state urban land use district or up to fifteen acres of land in the state agricultural land use district from current environmental assessment (EA) requirements.

MEANS: Add a new section to chapter 343, Hawaii Revised Statutes.

JUSTIFICATION: This measure would address the lengthy entitlement process for affordable housing development by expanding the criteria that make affordable housing projects eligible for an EA exemption.

Impact on the public: Increases the availability of affordable housing to help keep essential workers from leaving the state due to high housing costs, which will have a long-term positive impact on economic growth.

Impact on the department and other agencies: The Hawaii Housing Finance and Development Corporation and other housing agencies will be able to exempt more affordable housing projects from EAs and expedite the development process for those projects.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: BED-160.

OTHER AFFECTED AGENCIES: Office of Planning and Sustainable Development, the Hawaii Public Housing Authority, the Hawaii Community Development

Authority, the Department of Land and Natural Resources, the Department of Hawaiian Home Lands, the University of Hawaii, and the counties.

EFFECTIVE DATE: Upon approval.