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# 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 to read as follows;

4 "§343- Environmental assessment not required; when. (a)

5 For purposes of section 343-5(a), an environmental assessment  
6 shall not be required for:

- 7 (1) An action that proposes the use of state or county  
8 lands or the use of state or county funds, if the use  
9 of the state or county land or the expenditure of  
10 state or county funds is limited to an existing public  
11 street, road, or highway, as defined in section 291-1,  
12 for an easement, drainage, waterlines, access  
13 improvements, utility right of way, or the like; or
- 14 (2) A modification or disposal of highway access rights or  
15 use, occupancy, or work within a public highway right-  
16 of-way to serve private development outside the  
17 highway right-of-way; provided that the proposed



1           development outside the highway right-of-way does not  
2           involve:

3           (A) Any action by the state land use commission or  
4           board of land and natural resources;

5           (B) Use of five or more acres of land that has not  
6           been disturbed by intensive human uses since  
7           1840; or

8           (C) Any use of plants or animals that are not, but  
9           potentially could become established in Hawaii.

10          (b) This section shall not be interpreted as exempting the  
11 entirety of a development project from this chapter.

12          (c) All exemptions under this section shall be  
13 inapplicable when the cumulative impact of planned successive  
14 actions in the same place, over time, is significant, or when an  
15 action that is normally insignificant in its impact on the  
16 environment may be significant in a particularly sensitive  
17 environment."

18          SECTION 2. New statutory material is underscored.

19          SECTION 3. This Act shall take effect July 1, 2050;  
20 provided that this Act shall be repealed one year after the  
21 effective date of this Act.



**Report Title:**

Environmental Assessments; Exemptions

**Description:**

Exempts from environmental assessments, state or county lands that include the use of existing streets, roads, highways, or trails or bikeways for limited purposes, or a modification or disposal of highway access rights or use, occupancy, or work within a public highway right-of-way to serve private development outside the highway right-of-way, under certain conditions. (SD2)

