

STAND. COM. REP. NO.

1645

Honolulu, Hawaii

April 6, 2017

RE: H.C.R. No. 120

H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.C.R. No. 120, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL APPLY CONSISTENT STANDARDS TO ALL APPLICANTS AND AGENCIES, FOLLOW STATUTORY INTENT OF THE LEGISLATURE, UPDATE LEGISLATORS ON GUIDANCE DOCUMENTS AND INTERPRETATIONS AND SUPPORT THE ENVIRONMENTAL COUNCIL'S EFFORTS TO UPDATE HAWAII ADMINISTRATIVE RULES CHAPTER 11-200,"

begs leave to report as follows:

The purpose of this measure is to request the Office of Environmental Quality Control to:

- (1) Apply consistent standards to all applicants and agencies that file documents for review pursuant to chapter 343, Hawaii Revised Statutes, and follow the statutory intent of the Legislature;
- (2) Provide a briefing for all legislators on guidance documents and current Office interpretations of the law; and
- (3) Support the Environmental Council's efforts to update Hawaii Administrative Rules title 11, chapter 200.

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Ulupono Initiative and an individual supported this measure. The Office of Environmental Quality Control provided comments.

Your Committee has amended this measure by:

- (1) Amending its title to read: "REQUESTING THAT THE ENVIRONMENTAL COUNCIL UPDATE HAWAII ADMINISTRATIVE RULES TITLE 11 CHAPTER 200 AND THAT THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL SUPPORT THE ENVIRONMENTAL COUNCIL IN THIS ENDEAVOR, AND TO UPDATE LEGISLATORS ON GUIDANCE UPDATES AND INTERPRETATIONS."; and
- (2) Deleting its contents and inserting new language that:
 - (A) Requests that the Environmental Council update Hawaii Administrative Rules title 11, chapter 200 to reflect legislative amendments to chapter 343, Hawaii Revised Statutes, made since the Rules were last updated in 1996;
 - (B) Requests that the Office of Environmental Quality Control issue updated guidance based on the updated Rules and seek engagement from the stakeholder community in this endeavor;
 - (C) Requests that the Office of Environmental Quality Control issue a report of its findings and recommendations to the Legislature prior to the 2018 Regular Session; and
 - (D) Directs the transmission of certified copies of this measure to the Director of Health, Director of the Office of Environmental Quality Control, and Chairperson of the Environmental Council.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 120, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 120, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,

Chris Lee
CHRIS LEE, Chair



