
HOUSE CONCURRENT 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.

1 WHEREAS, the United States Army's sixty-five-year lease of
2 approximately twenty-three thousand acres on Hawaii Island is
3 scheduled to expire in August 2029; and
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5 WHEREAS, different uses of those lands may be subject to
6 the public review process set forth in Chapter 343, Hawaii
7 Revised Statutes, regarding environmental impact statements; and
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9 WHEREAS, historically, the military has contracted with
10 private entities to study and draft the necessary documents to
11 comply with the requirements of Chapter 343, Hawaii Revised
12 Statutes; and
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14 WHEREAS, these private entities have been incentivized to
15 find that the proposed use of the land, which prompted
16 compliance with Chapter 343, Hawaii Revised Statutes, would have
17 "no significant impact" because making that finding would
18 encourage the military to use the services of the private entity
19 in the future; and
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21 WHEREAS, the entity determining whether the proposed use of
22 the land would result in a significant impact should instead be
23 an independent party; and
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1 WHEREAS, Chapter 343, Hawaii Revised Statutes, should be
2 amended to require a process that requires independent review in
3 consideration of Hawaiian culture, engineering, the environment,
4 design, and other concerns; now, therefore,
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6 BE IT RESOLVED by the House of Representatives of the
7 Thirty-second Legislature of the State of Hawaii, Regular
8 Session of 2023, the Senate concurring, that the Environmental
9 Advisory Council and Office of Planning and Sustainable
10 Development are requested to collaborate with the University of
11 Hawaii to update Chapter 343, Hawaii Revised Statutes, to
12 reflect all factors that shall be considered for the
13 environmental impact statement process; and
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15 BE IT FURTHER RESOLVED that the Environmental Advisory
16 Council and Office of Planning and Sustainable Development are
17 requested to collaborate with all applicable departments,
18 offices, and centers of the University of Hawaii in updating
19 Chapter 343, Hawaii Revised Statutes, including the
20 Hawaiiinuiakea School of Hawaiian Knowledge, College of
21 Engineering, College of Tropical Agriculture and Human
22 Resources, Department of Natural Resources and Environmental
23 Management, and School of Architecture; and
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25 BE IT FURTHER RESOLVED that to prevent incentivizing
26 privately contracted entities from making findings of "no
27 significant impact" or other findings beneficial to the
28 applicant, the Environmental Advisory Council and Office of
29 Planning and Sustainable Development are requested to include in
30 its proposed legislation, provisions authorizing the Office of
31 Planning and Sustainable Development or the Department of Land
32 and Natural Resources to, when necessary, appoint an independent
33 contractor or another neutral party to prepare the environmental
34 assessment and, if necessary, the environmental impact
35 statement; and
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37 BE IT FURTHER RESOLVED that the Environmental Advisory
38 Council and Office of Planning and Sustainable Development are
39 requested to submit a draft report of their findings,
40 recommendations, and proposed legislation to the Legislature no
41 later than twenty days prior to the convening of the Regular
42 Session of 2024; and



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1 BE IT FURTHER RESOLVED that the Environmental Advisory
2 Council, Office of Planning and Sustainable Development, and the
3 Department of Land and Natural Resources are requested to gather
4 public comments on the report and proposed amendments to Chapter
5 343, Hawaii Revised Statutes, by:

- 6
- 7 (1) Posting the report and proposed amendments to
8 Chapter 343, Hawaii Revised Statutes, on the
9 Department of Land and Natural Resource's website and
10 accepting written comments by email or other electric
11 means; and
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 - 13 (2) Holding at least one public forum in each of the
14 counties; and
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16 BE IT FURTHER RESOLVED that by 2025, the Environmental
17 Advisory Council, Office of Planning and Sustainable
18 Development, and the Department of Land and Natural Resources
19 are requested to hold public forums in communities near state
20 lands that are currently leased to the military to solicit
21 community input on the future use of those lands; and
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23 BE IT FURTHER RESOLVED that the Environmental Advisory
24 Council and Office of Planning and Sustainable Development are
25 requested to consider the public comments regarding the report
26 and proposed amendments, consider the public comments regarding
27 the future use of the state lands that are leased to the
28 military, and submit a final report of their updated findings
29 and recommendations and proposed legislation to the Legislature
30 no later than twenty days prior to the convening of the Regular
31 Session of 2025; and
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33 BE IT FURTHER RESOLVED that certified copies of this
34 Concurrent Resolution be transmitted to the Chairperson of the
35 Environmental Advisory Council, Director of the Office of
36 Planning and Sustainable Development, and the President of the
37 University of Hawaii, who is then requested to transmit copies



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1 to the heads of the various departments, offices, and centers of
2 the University of Hawaii mentioned in this Concurrent
3 Resolution.

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OFFERED BY:

A handwritten signature in black ink, appearing to be 'S. G. ...', written over a horizontal line.

MAR - 9 2023

