

JAN 19 2007

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- Time limitation on validity of environmental
5 assessment, impact statement, or exemption; new submissions.

6 (a) If a period of ten years or more has elapsed on a proposed
7 action since:

8 (1) The acceptance of a final environmental impact
9 statement;

10 (2) The preparation of an environmental assessment for
11 which there is a finding of no significant impact; or

12 (3) A proposed action that is of a list of classes of
13 actions that, because they will probably have minimal
14 or no significant effect on the environment, was
15 declared exempt by the proposing agency or approving
16 agency from the preparation of an environmental
17 assessment,



1 then a new environmental assessment or environmental impact
2 statement, as applicable, shall be required if the proposed
3 action has not been completed.

4 (b) A proposed action that is subject to subsection (a)(1)
5 or (2) shall cease pending the preparation and submission of the
6 new documentation.

7 (c) A proposed action that is subject to subsection (a)(3)
8 shall require an application to the council to review the
9 proposed action for a determination of whether an exemption
10 should apply, notwithstanding that the proposed action was
11 previously exempt.

12 (d) The contents of the required documentation under
13 subsections (b) and (c) shall be the same as for the required
14 contents of the previous draft and final statements; provided
15 that any new or changed circumstances or conditions shall be
16 addressed.

17 (e) Acceptance of a final statement under this section
18 shall be a condition precedent to commencement or continuation
19 of the proposed action.

20 (f) Procedures under this section, except as otherwise
21 provided in this section, shall be the same as other procedures
22 under this chapter."



1 SECTION 2. New statutory material is underscored.

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

3 INTRODUCED BY: Ray L. Hoan



Report Title:

Environmental Impact Statements; Environmental Assessments

Description:

Requires another environmental assessment and environmental impact statement if the original is more than ten years old.

