

**Environmental Impact Statement (EIS)**  
**Hawaii Department of Health (DOH)**  
**Office of Environmental Quality Control (OEQC)**

**Purpose:** To propose the use of state or county lands, or lands within conservation districts, shoreline area, historic sites, or in the Waikiki Special District; to propose amendments to county general plans; or to propose a wastewater system, waste-to-energy facility, landfill, oil refinery, or power generating facility according to HRS Chapter 343-5. Activities proposing the importation of regulated plant feedstocks for biofuel may be subject to 343 review.

**Approval Authority:** Hawaii Revised Statutes (HRS) 343; Hawaii Administrative Rules (HAR) 11-200 and 11-201 (Environmental Council)

**Potential Approval Prerequisites:** Outreach with key regulatory agencies, stakeholders, and surrounding communities is strongly recommended early in the EA scoping phase. For private applicant actions, an Approving Agency must be established to determine the acceptability of the final EA.

**Fees:** None

**For Permit Application, Guidelines, and Fees:**

- OEQC website: <http://health.hawaii.gov/oeqc/>
- OEQC Online EA/EIS Library: [http://oeqc.doh.hawaii.gov/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fShared%20Documents%2fEA and EIS Online Library](http://oeqc.doh.hawaii.gov/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fShared%20Documents%2fEA%20and%20EIS%20Online%20Library)

**Contact Information:** OEQC (808) 586-4185

**Estimated Time for Permit Approval Decision from Application Acceptance:** See Checklist / Process

<b>Checklist / Process – Applicant Actions Only</b>	<b>Chronology</b>
1. Begin EIS Preparation Notice (EISPN) process, initiated by a determination letter from the approving agency stating the project has potential for significant environmental impacts. See “Special Conditions” for guidance on EISPN contents (or initiated after an agency determines that the proposed action is significant after the DEA public comment period).	
2. Agency/Applicant consults community and experts.	
3. Draft EIS Preparation Notice should be reviewed by approving agency.	
4. EIS Preparation Notice and agency determination letter submitted to OEQC with the OEQC Publication Form. OEQC publishes notice of EIS Preparation Notice	
5. Public review and comment period.	30 days
6. Agency/Applicant review comments.	
7. Begin Draft EIS process. The Draft EIS shall contain all information listed in HAR 11-200-17.	
8. Applicant performs required studies and answers any comments.	
9. Draft EIS should be provided to the Approving Agency for review prior to submittal to OEQC.	
10. Draft EIS, interested party EIS Distribution List, and OEQC Publication Form are concurrently submitted to: (1) Approving Agency; and, (2) OEQC. OEQC publishes notice of Draft EIS.	
11. Public review and comment period.	45 days

12. Agency/Applicant review comments.	
13. Begin Final EIS process by drafting the Final EIS. The Final EIS shall contain all information listed in HAR 11-200-18.	
14. Draft Final EIS should be provided to Accepting Agency for preliminary review prior to submittal of Final EIS.	
15. Approving Agency receives Final EIS w/ final Distribution List and OEQC Publication Form for processing (compliance/non-compliance determination) within 30 days unless an extension is requested.	30 days
16. Accepting Authority accepts or rejects Final EIS based on determination of compliance or non-compliance with HRS 343.	
17. Approving Agency submits Final EIS, interested party EIS Distribution List, and OEQC Publication Form to OEQC. OEQC publishes notice of acceptance or non-acceptance of Final EIS.	
18. Appeal period to challenge acceptance or non-acceptance of Final EIS.	60 days
<b>Estimated Time for Completing the Permit Process</b>	<b>6-18+ months</b>

**Estimated Time: Varies depending on the timelines involved in the EIS determination and other activities (attached reports, public input and response, agency review, etc.).**

#### **Special Conditions / Requirements for Renewable Energy Projects:**

- For projects going straight to an EIS under Act 172 (2012), no environmental assessment is required, but sufficient information must be provided in the EIS Preparation Notice to support thorough project review and identification of all interested parties for consultation.
- EA/EIS must contain information specific to the proposed action. If using templates or other EAs/EISs as a base, components should be inserted into the instant EIS only if relevant and specific to the impacts of the instant action being proposed.
- State and/or County permits required for a biofuel/biomass facility or waste-to-energy facility can determine whether or not the project is a “waste-to-energy facility” or “oil refinery” under HRS 343-5(a). Projects should be classified and named consistently by various agencies throughout the various permitting processes. Review the definition of “power-generating facility” to see if your project fits this definition and triggers HRS 343 review.
- Project proponents should work closely with the approving agency throughout the EA/EIS process to facilitate document review, processing, and publication.
- If a proposed project is subject to both the federal National Environmental Policy Act (NEPA) and HRS 343, the project proponent and agencies shall reduce duplication of requirements to the fullest extent possible as described in HAR 11-200-25.
- “Voluntary” environmental review documents developed for projects that do not trigger HRS 343 will not be published or processed as prescribed under HRS 343, but can add value to the environmental review/permitting process. Non-343 review documents should be clearly identified as such, and not labeled as an Environmental Impact Statement or Environmental Assessment (e.g., “Environmental Review Document,” “Environmental Report”).
- Exemptions from HRS 343 that are issued by an agency should be provided to OEQC for publication.