



# University of Hawaii at Manoa

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SR 146  
URGING THAT ENVIRONMENTAL ASSESSMENTS  
AND ENVIRONMENTAL IMPACT STATEMENTS INCLUDE AN EVALUATION  
OF CHILD CARE PROVISIONS FOR WORKERS AT PROPOSED RESORT DEVELOPMENTS

Statement for  
Senate Committee on  
Tourism and Recreation  
Public Hearing - March 21, 1991

By  
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SR 146 calls attention to the need for childcare services for employees of new resort or hotel developments and urges that an evaluation of the viability of a low or no cost childcare plan for employees be included in environmental assessments or environmental impact statements prepared for these projects.

Our statement on this resolution does not represent an institutional position of the University of Hawaii.

While we can certainly concur with the statewide need for more childcare facilities, and the importance of the visitor industry in contributing to that need, inclusion of a specific directive to include an evaluation of childcare provisions in environmental assessments or environmental impact statements is not an appropriate or effective method to address this problem.

First, it should be recognized that many types of projects, including government actions as well as private, increase employment in an area and may have an impact on childcare facilities. Second, only certain specific actions trigger the requirement for environmental assessment. The construction of resort hotels or other visitor industry establishments are not included in those triggers unless they take place in certain specific areas or involve state or county lands or funds. Hence, implementation of the provisions of SR 146 will not be consistent for all resort hotel cases.

Under the existing provisions of the Environmental Impact Statement Law, HRS 343-2, HRS 343-6 (1), (3), and Chapter 200 of Title 11 Administrative Rules, childcare facilities can be addressed in the Environmental Assessment or Environmental Impact Statement process. Furthermore, the rules require agencies to consult with other agencies and individuals in the assessment process so that sensitive issues, such as childcare facilities, can be brought to the attention of the preparers of the EA. Similarly, preparers of an EIS are required to respond to comments received during the review process, hence an evaluation of childcare facilities can readily be required by the accepting agency during the EIS review process. We stress the use of the word "can". Unfortunately, what has frequently transpired is that only minimum attention is provided to specific social issues, such as childcare facilities, in the preparation of either environmental assessments or environmental impact statements. Unless the specific issue is brought to the attention of the agency during the preparation process, there is no mandated directive in the rules that requires the address of any specific social issue.

It is important to seek a balance in the rules between specificity and overly broad language that offers no direction to the preparers. Thus, while we would not advocate inclusion in the rules of an itemized list of social issues to be covered in all EA's EIS's, some guidance could surely be offered, whether the issue is childcare facilities or some other aspect of environmental concern.

In the ongoing review of HRS 343 by the Environmental Center, we are examining the need for greater direction with regard to the content of EA's and EIS's and will be addressing this issue in our forthcoming draft.

As a procedural point, the Environmental Council is responsible for rulemaking for HRS 343. Hence, if it is the will of the Senate to include childcare facilities in the EIS system documents, then the resolution should be directed to the Environmental Council.