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## A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL ASSESSMENTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1        SECTION 1. The legislature finds that SpaceX is seeking  
2        approval from the Federal Aviation Administration to land  
3        experimental rockets over and in waters surrounding Hawaii. No  
4        environmental impact statement has been conducted for these  
5        specific types of rockets, called Starships, nor has the impact  
6        on Hawaiian marine life, wildlife, fishing, and cultural  
7        resources been assessed. The aircraft may break into pieces of  
8        debris upon reentry into the atmosphere or may explode in the  
9        ocean.

10       In 2014, an environmental impact statement was conducted by  
11       the Federal Aviation Administration, which was related to the  
12       operation of a spaceport in Boca Chica, Texas, to launch a  
13       Falcon 9 rocket. Numerous unforeseen SpaceX malfunctions and  
14       accidents in Boca Chica have had a negative impact on the  
15       surrounding natural and human environment. As a consequence,  
16       environmental organizations are suing the Federal Aviation  
17       Administration over considering only best-case scenarios in the



1 environmental impact assessment, rather than a realistic range  
2 of scenarios.

3 In 2022, a less comprehensive, preliminary environmental  
4 assessment was conducted that assessed launches and landings of  
5 Starships sixty-two nautical miles north of Kauai and west of  
6 the Papahanaumokuakea national marine monument, with a debris  
7 field if it broke up upon reentry southwest of Kauai. The  
8 biological opinion conducted by the National Oceanic and  
9 Atmospheric Administration and the United States Fish and  
10 Wildlife Service as part of the preliminary environmental  
11 assessment did not include local consultation as would be  
12 required by a full environmental impact statement and only  
13 considered best-case scenarios.

14 In 2024, SpaceX sought approval for a landing zone over  
15 twenty times larger than its initial request in 2022 and planned  
16 to increase the number of Starship launches and landings from  
17 five to twenty-five per year. Given the lack of previous  
18 stakeholder participation, a change in spacecraft type, and the  
19 dramatically expanded area, which is further affected by ocean  
20 currents, it is unclear what the impact will be on Hawaii.



1        Accordingly, the purpose of this Act is to require an  
2        environmental impact statement and consultation with the office  
3        of Hawaiian affairs for actions that propose any launch of a  
4        spacecraft from or reentry of a spacecraft into state waters or  
5        the Papahanaumokuakea marine national monument.

6        SECTION 2. Section 343-5, Hawaii Revised Statutes, is  
7        amended by amending subsection (a) to read as follows:

8                "(a) Except as otherwise provided, an environmental  
9        assessment shall be required for actions that:

10                (1) Propose the use of state or county lands or the use of  
11                state or county funds, other than funds to be used for  
12                feasibility or planning studies for possible future  
13                programs or projects that the agency has not approved,  
14                adopted, or funded, or funds to be used for the  
15                acquisition of unimproved real property; provided that  
16                the agency shall consider environmental factors and  
17                available alternatives in its feasibility or planning  
18                studies; provided further that an environmental  
19                assessment for proposed uses under section 205-  
20                2(d)(11) or 205-4.5(a)(13) shall only be required  
21                pursuant to section 205-5(b);







1 (9) Propose any:

6 (B) Waste-to-energy facility;

7 (C) Landfill;

8 (D) Oil refinery; or

9 (E) Power-generating facility[.]; and

10        (10) Propose any launch of a spacecraft from or reentry of  
11            a spacecraft into state waters or the  
12            Papahanaumokuakea Marine National Monument; provided  
13            that:



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 23 2025



# H.B. NO. 1476

**Report Title:**

Environmental Impact Statement; Spacecraft; State Waters; Papahanaumokuakea Marine National Monument; Office of Hawaiian Affairs

**Description:**

Requires an environmental impact statement and consultation with the Office of Hawaiian Affairs for actions that propose any launch of a spacecraft from or reentry into state waters or the Papahanaumokuakea Marine National Monument.

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