

STAND. COM. REP. NO.

2380

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 2866

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Water and Land and Judiciary, to which was referred S.B. No. 2866 entitled:

"A BILL FOR AN ACT RELATED TO AQUATIC RESOURCES,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation where a person is required to provide compensatory mitigation prospectively and the use of aquatic in-lieu fee mitigation is approved by the agency requiring mitigation, or for past damages to aquatic habitats or resources.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Hawaiian Civic Club of Honolulu, and six individuals.


Your Committees find that aquatic in-lieu fee mitigation is an effective mechanism to restore, create, enhance, and preserve aquatic habitats or resources to recover the ecological functions, services, and values of aquatic resources that are lost or anticipated to be lost due to adverse impacts to other similar aquatic habitats. Aquatic in-lieu fee mitigation is widely used across the United States to achieve ecologically valuable



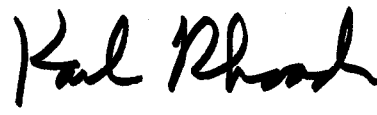
conservation. This measure will provide the Department of Land and Natural Resources with an innovative mechanism to improve state stewardship of aquatic public trust resources and habitats, increase accountability for aquatic resource damage, and provide higher quality remediation to make damaged resources whole again.

As affirmed by the records of votes of the members of your Committees on Water and Land and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2866 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Judiciary,



BRIAN T. TANIGUCHI, Chair



KARL RHOADS, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

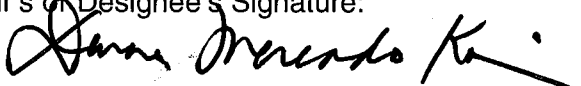
Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 2866	Committee Referral: WTL/JDC, WAM	Date: 2/8/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
INOUYE, Lorraine R.	---			✓
RIVIERE, Gil	✓			
THIELEN, Laura H.				✓
TOTAL	3	—	—	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2866	WTL/JDC, WAM	2-8-18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	/			
RHOADS, Karl (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
THIELEN, Laura H.				/
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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