

STAND. COM. REP. NO.

2584

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2357

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which
was referred S.B. No. 2357 entitled:

"A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION
LAWS OF HAWAII 1997,"

begs leave to report as follows:

The purpose of this measure is to remove the sunset date on
the use of safe harbor agreements, habitat conservation plans, and
incidental take licenses as recovery options for conserving and
protecting the State's endangered species.

Testimony in support of this measure was submitted by the
Department of Transportation, the Department of Land and Natural
Resources, the University of Hawaii, the Hawaii Forest Industry
Association, and the Land Use Research Foundation of Hawaii.

Your Committee finds that in 1997, the Legislature approved
expanded recovery options for the preparation and implementation
of habitat conservation plans and safe harbor agreements. These
options provided additional incentives to private landowners to
conserve endangered species. In 2001, the Legislature extended
this program for an additional five years, making its new sunset
date July 1, 2007.

Today, these provisions have been implemented and utilized in
projects like the construction of the Ewa North-South Road and the
Kapolei Parkway. For this project a regional safe harbor
agreement, a habitat conservation plan, and an incidental take
license were approved for the relocation and conservation of

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endangered species affected by the construction. Your Committee finds that these habitat conservation plans and safe harbor agreements are important for the protection of the State's endangered species and should be permanently implemented. Accordingly, this measure removes the sunset date of July 1, 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2357 and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



