

Honolulu, Hawaii

Feb 12, 2010

RE: H.B. No. 2960

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources, to which was referred H.B. No. 2960 entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

beg leave to report as follows:

The purpose of this measure is to exempt qualified actions that protect, preserve, or enhance the environment, land, and natural resources from the state environmental review process.

The Nature Conservancy submitted testimony supporting the intent of this measure. The Department of Land and Natural Resources, Office of Hawaiian Affairs, Sierra Club, and the Outdoor Circle submitted testimony in opposition.

Your Committees find that there is a need to streamline the process for environmentally friendly projects by exempting them from the environmental review process. However, your Committees find that, as drafted, this measure may actually increase the burden on conservation projects by creating a duplicative, administratively complex, and unclear process.

Accordingly, your Committees have amended the measure by:

- (1) Providing for exemptions for projects approved by the Department of Land and Natural Resources that:



- (A) Protect, preserve, or enhance native species, native habitats, and native ecosystem functions; and
  - (B) Will probably have minimal or no significant effects on the environment;
- (2) Providing examples of projects meant to qualify for the exemption; and
- (3) Deleting the remaining provisions in the bill relating to the administrative process requirements for obtaining an exemption.

Your Committees have also changed the effective date of the measure to June 30, 2050, to promote further discussion.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2960, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2960, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Water, Land, & Ocean Resources,

  
\_\_\_\_\_  
KEN ITO, Chair

  
\_\_\_\_\_  
HERMINA MORITA, Chair



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2/11

State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSR 341-20

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <b>HB 2960</b>	Committee Referral: <b>EEP/WLO, JUD</b>	Date: <b>2-11-2010 De</b> <del>2-9-10</del>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono				✓
6. HAR, Sharon E.				✓
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. LEE, Chris	✓			
10. LUKE, Sylvia	✓			
11. SAGUM, Roland D., III				✓
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
<b>TOTAL (13)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>4</b>

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
 committee acronym(s)

Vice Chair's or designee's signature: *Denny Coffman*

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State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 341-10

**Record of Votes of the Committee on Water, Land, & Ocean Resources**

Bill/Resolution No.: <b>HB 2960</b>	Committee Referral: <b>BEP/WLO, JUD</b>	Date: <b>2/11/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)				✓
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. LEE, Chris	✓			
9. LUKE, Sylvia	✓			
10. MORITA, Hermina M.	✓			
11. SAGUM, Roland D., III				✓
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
<b>TOTAL (13)</b>	<b>9</b>			<b>4</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
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