

STAND. COM. REP. NO. 937

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 117
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 117, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS,"

begs leave to report as follows:

The purpose of this bill is to allow for the expeditious and efficient processing and approval of minor development projects in the coastal special management areas of the counties by eliminating the triggering valuation of \$125,000 that determined the need for:

- (1) A Special Management Area Minor Permit (Minor Permit) for development projects that had no substantial adverse environmental or ecological effects when taking into account potential cumulative effects; or
- (2) A Special Management Area Use Permit (Use Permit) for development projects that may have a substantial adverse environmental or ecological effect when taking into account potential cumulative effects.

The Kauai County Planning Department, City and County of Honolulu Department of Planning and Permitting, Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Maui Electric Company, and Hawaii Association of REALTORS testified in support of this bill. The Office of Hawaiian Affairs, Hawaii's Thousand Friends, Sierra Club-Hawaii Chapter, the Coastal Resources and

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Shoreline Planner for Maui County, and a concerned individual opposed this measure. The Department of Business, Economic Development, and Tourism commented on this bill.

Your Committee has amended this bill by:

- (1) Amending the definition of development to exclude a single-family residence which does not exceed 10,000 square feet of floor area;
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 117, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 117, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


GILBERT KEITH-AGARAN, Chair



