

Honolulu, Hawaii

MAR 16 2012

RE: H.B. No. 2154
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Transportation and International Affairs,
to which was referred H.B. No. 2154, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE
PERMITS,"

begs leave to report as follows:

The purpose and intent of this measure is to temporarily
exempt from the special management area minor permit or special
management area use permit requirements, airport development that
is necessary to comply with Federal Aviation Administration
regulations.

Your Committee received testimony in support of this measure
from the Department of Transportation, State Office of Planning,
Building Industry Association of Hawaii, General Contractors
Association of Hawaii, and The Chamber of Commerce of Hawaii.
Testimony in opposition to this measure was received from Hawaii's
Thousand Friends, Sierra Club, and six individuals.

Your Committee finds that securing special management area
minor or use permits can be time consuming and delay projects from
going to construction when funding has been obtained and
procurement has been completed. The Department of Transportation
requires the authority provided by this measure to plan, design,
and construct airports, subject to the Hawaii coastal zone
management program federal consistency review, without sacrificing
special controls on developments within an area along the



shoreline. This measure will help the Department of Transportation to complete projects more quickly while ensuring compliance with Federal Aviation Administration regulations concerning requirements such as airfield safety. This measure also assists the Department to receive discretionary grants which are based on timely expenditure performance.

By recommending the temporary exemption pursuant to this measure, your Committee's intent is not to allow or condone permanent loss of valuable coastal and ocean resources.

Your Committee has amended this measure by changing the sunset date to June 30, 2015, to allow the Office of Planning, at the Administration's direction, to complete work on an alternative process to special management area permitting for state projects that will be consistent with the coastal zone management program.

According to testimony, recommendations for alternative processes, in consultation with state agencies, will be completed before the next legislative session. If alternative processes are approved, your Committee requests the Department of Transportation to follow those processes in lieu of the temporary exemption under this measure, assuming those alternative processes protect valuable coastal and ocean resources. Since the alternative processes are hypothetical at this time, reference to such procedures have not been inserted into this measure.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2154, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2154, H.D. 2, S.D. 1, and be referred to the Committee on Water, Land, and Housing.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,



J. KALANI ENGLISH, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2154, HD2	TIA, WLH	3/12/12		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
SLOM, Sam	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Will Espero				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes