

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2277  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2277, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES,"

begs leave to report as follows:

The purpose of this measure is to make permanent the Board of Land and Natural Resources' power to:

- (1) Issue incidental take licenses; and
- (2) Enter into safe harbor agreements and habitat conservation plans.

Testimony in support of this measure was submitted by the Department of Business, Economic Development, and Tourism; the Department of Land and Natural Resources; the County of Kauai, Office of the County Attorney; Hawaii Cattlemen's Council, Inc.; Pahio Resorts; Land Use Research Foundation of Hawaii; First Wind; GCA of Hawaii; Hawaii Laborers' Union; The Pacific Resource Partnership; and one individual. The Hawaii Farm Bureau Federation supported the measure with amendments. Testimony in opposition was submitted by Sierra Club, Conservation Council for Hawaii, Life of the Land, EarthJustice, and eight individuals. The Nature Conservancy, BIA-Hawaii, and one individual submitted comments on the measure.



Your Committee finds that safe harbor agreements, habitat conservation plans, and incidental take licenses are valuable tools for the State's ongoing efforts to protect Hawaii's endangered and threatened species. Allowing the State to continue to work together with landowners to preserve Hawaii's native plants and animals will benefit Hawaii's endangered and threatened species and all parties concerned.

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 S.B. No. 2277, S.D. 2, H.D. 1, and recommends that it be referred to the Committee on Finance.

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

  
GILBERT KEITH-AGARAN, Chair



