

Honolulu, Hawaii

March 15, 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 Water, Land, & Ocean Resources, to which was referred S.B. No. 2277, S.D. 2, 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:

- (1) Establish a new administrative procedure and remedy for challenges to a habitat conservation plan or safe harbor agreement and accompanying license;
- (2) Repeal current provisions on administrative enforcement of rules, habitat conservation plans, and safe harbor agreements and accompanying licenses; and
- (3) Make permanent the Board of Land and Natural Resources' authority to approve new safe harbor agreements, habitat conservation plans, or incidental take licenses.

The Department of Land and Natural Resources, Sierra Club Hawaii, and two concerned individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism; Building Industry Association of Hawaii; The Chamber of Commerce of Hawaii; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; General Contractors Association of



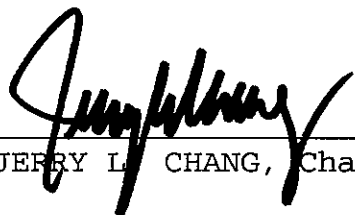
Hawaii; and two concerned individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing provisions establishing a new administrative procedure and remedy for challenges to a habitat conservation plan or safe harbor agreement and accompanying license; and
- (2) Leaving the current procedures to challenge a habitat conservation plan or safe harbor agreement and accompanying license in the Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2277, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2277, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, &  
Ocean Resources,

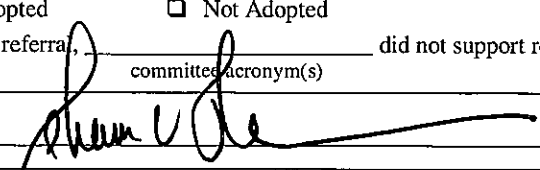
  
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JERRY L. CHANG, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 997-12

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

Bill/Resolution No.: SB 2277, SP2	Committee Referral: WLO, JLD, FIN	Date: 3/12/12		
<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. CHANG, Jerry L. (C)	X			
2. HAR, Sharon E. (VC)	X			
3. CABANILLA, Rida T.R.	X			
4. CARROLL, Mele				X
5. COFFMAN, Denny	X			
6. HERKES, Robert N.				X
7. ITO, Ken	X			
8. KAWAKAMI, Derek S.K.	X			
9. NAKASHIMA, Mark M.	X			
10. RIVIERE, Gil	X			
11. THIELEN, Cynthia				X
TOTAL (11)	8			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted         If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				