

Honolulu, Hawaii
January 30, 2014

RE: H.B. No. 1537
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources,
& Hawaiian Affairs, to which were referred H.B. No. 1537 entitled:

"A BILL FOR AN ACT RELATING TO CONSERVATION,"

beg leave to report as follows:

The purpose of this measure is to require the Department of Land and Natural Resources to administer a permit program for grading and grubbing of land within the shoreline area for the purpose of preserving coastal dunes.

One individual submitted testimony in opposition to this measure. The Department of Land and Natural Resources submitted comments.

Your Committees have amended this measure by:

- (1) Deleting provisions that would have required the Department of Land and Natural Resources to administer a permit program for grading, grubbing, and related activities within shoreline areas, and included:
 - (A) Permit application and approval requirements;
 - (B) Prohibited activities;
 - (C) Penalties; and



- (D) A directive to the Board of Land and Natural Resources to adopt rules to effectuate the permit program; and
- (2) Inserting provisions which amend existing statutes to specify the preservation of coastal dunes as a policy priority of the State by:
 - (A) Directing the Department of Land and Natural Resources to include in all beach restoration plans provisions to minimize adverse impacts to and disruption or degradation of coastal dunes through effective regulation; and
 - (B) Including the preservation of coastal dunes as objectives and policies of the county-administered Coastal Zone Management program.

Your Committees find that this measure, as amended by your Committees, is intended to elevate the preservation of coastal dunes to a high priority within the State's existing natural resource conservation programs and policies. It is your Committees' intent that the policy of prioritizing coastal dune preservation articulated in this measure should not require the creation of any specific new regulatory system. Rather, this policy is intended to function as a statement of important guiding principles for the State, the counties, and governmental agencies to follow in the context of carrying out existing conservation programs and duties.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1537, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1537, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Ocean, Marine Resources, &
Hawaiian Affairs,



FAYE P. MANOHANO, Chair



CINDY EVANS, Chair



HS CR 26-14

State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Record of Votes of the Committee on Water & Land

| | | |
|--|--|-------------------------|
| Bill/Resolution No.: HB 1537 | Committee Referral: WAL/OMH, JUD | Date: 1-28-14 |
|--|--|-------------------------|

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)

| WAL Members | Ayes | Ayes (WR) | Nays | Excused |
|--------------------------|------|-----------|------|---------|
| 1. EVANS, Cindy (C) | ✓ | | | |
| 2. LOWEN, Nicole E. (VC) | ✓ | | | |
| 3. CULLEN, Ty J.K. | ✓ | | | |
| 4. HANOHANO, Faye P. | ✓ | | | |
| 5. KAWAKAMI, Derek S.K. | ✓ | | | |
| 6. LEE, Chris | ✓ | | | |
| 7. SAY, Calvin K.Y. | | | | ✓ |
| 8. NISHIMOTO, Scott Y. | ✓ | | | |
| 9. FALE, Richard Lee | ✓ | | | |
| 10. THIELEN, Cynthia | ✓ | | | |
| TOTAL (10) | | | | |
| | 9 | 0 | 0 | 1 |

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

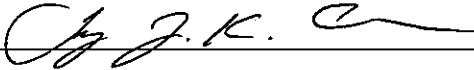
Vice Chair's or designee's signature: Nicole E. Lowen

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State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

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|---|-------------------------------------|--------------------|------|---------|
| Bill/Resolution No.: HB 1537 | Committee Referral: NAL/OMH, JUD | Date: 1-24-2014 | | |
| <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) | | | | |
| OMH Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. HANOANO, Faye P. (C) | ✓ | | | |
| 2. CULLEN, Ty J.K. (VC) | ✓ | | | |
| 3. EVANS, Cindy | ✓ | | | |
| 4. KAWAKAMI, Derek S.K. | ✓ | | | |
| 5. LEE, Chris | ✓ | | | |
| 6. LOWEN, Nicole E. | ✓ | | | |
| 7. SAY, Calvin K.Y. | | | | ✓ |
| 8. NISHIMOTO, Scott Y. | ✓ | | | |
| 9. FALE, Richard Lee | ✓ | | | |
| TOTAL (9) | 8 | 0 | 0 | 1 |
| 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:  | | | | |
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