

STAND. COM. REP. NO.

1457

Honolulu, Hawaii

April 4, 2013

RE: H.C.R. No. 96
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.C.R. No. 96, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE TO WORK WITH AFFECTED PERSONS AND COUNTIES IN ESTABLISHING CRITICAL HABITAT DESIGNATIONS FOR ENDANGERED SPECIES IN THE STATE,"

begs leave to report as follows:

The purpose of this measure is to request the United State Department of the Interior Fish and Wildlife Service to work with affected persons and counties in establishing Critical Habitat Designations for endangered species in the State to accommodate community participation and other important needs of the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; a member of the Maui County Council; the Hawaii Farm Bureau Federation; MCFB; Alexander & Baldwin, Inc.; Barbed S Ranch; McCandless Ranch; and several individuals. The Department of Accounting and General Services, Nuu Makua Ranch, 4 Ag Hawaii, and Hawaii Cattlemen's Council, Inc., submitted comments.

Your Committee has amended this measure by:

- (1) Adding language to recognize that since federal law does not require the conduct of an environmental assessment or the preparation of an environmental impact statement,

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these actions were not taken by the Fish and Wildlife Service in its Critical Habitat Designation process;

- (2) Adding language to express that conservation efforts should not impede the production of food in the State;
- (3) Requesting the Fish and Wildlife Service to conduct an environmental assessment and, if warranted, prepare an environmental impact statement as part of its collaborative efforts with persons and counties affected by Critical Habitat Designation; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 96, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 96, H.D. 2.

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


CINDY EVANS, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSCR 1457

Record of Votes of the Committee on Water & Land

Bill/Resolution No.:	Committee Referral:	Date:		
HCR 90, HD 1 (HSCR 126a)	E&P, WAL	4/1/13		
<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)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. LOWEN, Nicole E. (VC)		✓		
3. COFFMAN, Denny	✓			
4. CULLEN, Ty J.K.				✓
5. HANOHANO, Faye P.	✓			
6. KAWAKAMI, Derek S.K.				✓
7. LEE, Chris				✓
8. FALE, Richard Lee	✓			
9. THIELEN, Cynthia	✓			
TOTAL (9)	5	1	0	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:			<i>Nicole E. Lowen</i>	
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				