

Honolulu, Hawaii

APR 29 2016

RE: S.B. No. 2904
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2904, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC MITIGATION BANKS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate aquatic mitigation banks to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation, where a person is required to provide compensatory mitigation prospectively and the use of banked mitigation is approved by the agency requiring mitigation, or for past damages to aquatic habitats or resources.

Your Committee on Conference finds that aquatic mitigation banks help to restore, create, enhance, or preserve aquatic habitats or resources to recover the ecological functions, services, and value of aquatic resources lost by adverse impacts to other similar aquatic habitats. Mitigation banks serve as a mechanism to restore



or replace aquatic resources and ecological functions of aquatic habitats either prospectively or after they have been damaged; therefore, your Committee on Conference finds that mitigation banks are a first step in the process of creating innovative mechanisms for aquatic resource conservation in the State.

Your Committee on Conference has amended this measure by making it effective upon its approval.

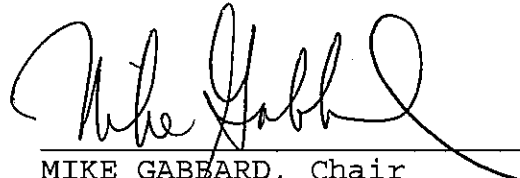
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2904, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2904, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


KANIELA ING, Co-Chair

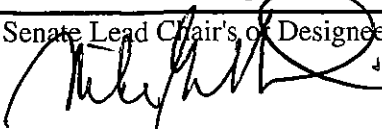


MIKE GABBEARD, Chair


NICOLE E. LOWEN, Co-Chair


BRICKWOOD GALUTERIA, Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2904, HD 1					Date/Time: <i>April 28, 2016 1:45 PM</i>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
GABBARD, Mike, Chr.		✓				ING, Kaniela, Co-Chr.		✓			
GALUTERIA, Brickwood, Co-Chr.		✓				LOWEN, Nicole E., Co-Chr.		✓			
SHIMABUKURO, Maile S.L.		✓				CULLEN, Ty J.K.		✓			
SLOM, Sam					✓	WARD, Gene		✓			
TOTAL		3	0	0	1	TOTAL		4	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: 						House Lead Chair's or Designee's Signature: 					
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		