

STAND. COM. REP. NO.

**2776**

Honolulu, Hawaii

**MAR 02 2018**

RE: S.B. No. 2866  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2866 entitled:

"A BILL FOR AN ACT RELATED TO AQUATIC RESOURCES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation as a form of compensatory mitigation for aquatic habitats or resources.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; OCC Legislative Priorities Committee, Democratic Party of Hawaii; and two concerned individuals.

Your Committee finds that in-lieu fee mitigation is a widely used and an effective compensatory mitigation mechanism.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2866, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2866, S.D. 1.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

|  |  |                         |     |         |
|--|--|-------------------------|-----|---------|
| Bill / Resolution No.:*<br><b>SB 2866</b>  | Committee Referral:<br><b>WTL/JDC, WAM</b> | Date:<br><b>2/28/18</b> |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                         |     |         |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                         |     |         |
| Members  | Aye  | Aye (WR)                | Nay | Excused |
| DELA CRUZ, Donovan M. (C)  | X  |                         |     |         |
| KEITH-AGARAN, Gilbert S.C. (VC)  | X  |                         |     |         |
| ENGLISH, J. Kalani   | X  |                         |     |         |
| GALUTERIA, Brickwood   | X  |                         |     |         |
| HARIMOTO, Breene   | X  |                         |     |         |
| INOUYE, Lorraine R.  | X  |                         |     |         |
| KAHELE, Kaiali'i   | X  |                         |     |         |
| KIDANI, Michelle N.  | X  |                         |     |         |
| RIVIERE, Gil   | X  |                         |     |         |
| SHIMABUKURO, Maile S.L.  | X  |                         |     |         |
| WAKAI, Glenn   | X  |                         |     |         |
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| <b>TOTAL</b>   | <b>11</b>                                  |                         |     |         |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                         |     |         |
| Chair's or Designee's Signature:<br>  |  |                         |     |         |
| <b>Distribution:</b> Original            Yellow            Pink            Goldenrod<br>File with Committee Report            Clerk's Office            Drafting Agency            Committee File Copy           |  |                         |     |         |

\*Only one measure per Record of Votes