

STAND. COM. REP. NO.

2784

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3152
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 3152 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require cultural assessments to be available for public review and comment in connection with draft environmental assessments;
- (2) Require a cultural impact assessment if an agency determines a proposed action may have a significant effect on the environment; and
- (3) Define the terms "cultural assessment" and "cultural impact assessment" to provide greater clarity for the requirements of environmental impact statements.

Your Committee received testimony in support of this measure from the Society for Hawaiian Archeology and three individuals. Your Committee received comments on this measure from the Office of Planning, Office of Environmental Quality Control, and Environmental Council.



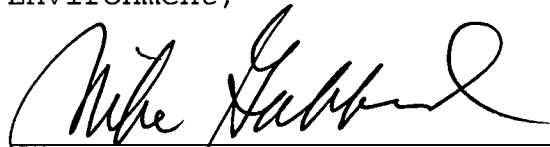
Your Committee finds that Act 50, Session Laws of Hawaii 2000, included cultural practices in the definition of environmental impact statement resulting in environmental assessments and environmental impact statements often including "cultural impact assessments". Your Committee further finds that these cultural impact assessments have no existing statutory definition or regulatory guidance, which has led to inconsistency and insufficiency in the completion of these studies. This measure seeks to clarify the requirements of environmental impact statements by defining "cultural assessment" and "cultural impact assessment".

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3152, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 3152	Committee Referral: AEN, JDC	Date: 02/12/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <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
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
RHOADS, Karl	X			
THIELEN, Laura H.				X
FEVELLA, Kurt	X			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes