

STAND. COM. REP. NO. 1289-22

Honolulu, Hawaii

MAR 23 , 2022

RE: S.B. No. 204
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 204, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources where a person is required to provide compensatory mitigation either:

- (1) Prospectively, and the use of in-lieu fee mitigation is approved by the agency requiring mitigation; or
- (2) For past damages to aquatic habitats or resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that in-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation by restoring wetland and stream habitats but has seen increasing national interest for use in improving coral reefs, sea grass, and estuarine habitats. The authority granted to the

2022-2523 SB204 HD1 HSCR HMSO



Department of Land and Natural Resources in this measure will enable Hawaii to become the first state in the nation to establish in-lieu fee mitigation for coral reefs.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 204, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



