

STAND. COM. REP. NO.

2206

Honolulu, Hawaii

FEB 10 2022

RE: S.B. No. 2764
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 2764 entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS,"

begs leave to report as follows:

The purpose and intent of this measure is to expand exclusions to the definition of "development" in Chapter 205A, Hawaii Revised Statutes, to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that many parts of the State fall within both Special Management Areas and the State Land Use Conservation District. Activities therefore may require both special management area permits and district use permits. Since requirements for both special management area and district use permits differ, understanding and complying with both permit conditions may be complicated and difficult. This measure reduces the need for special management area permits for certain activities by expanding exclusions to the definition of "development" in Chapter 205A, Hawaii Revised Statutes.



Your Committee has amended this measure by:

- (1) Reverting to existing statutory language regarding the demolition or removal of structures, except those structures located on any historic site as designated in national or state registers;
- (2) Clarifying exclusions for public pedestrian and bicycle facilities regarding installation, maintenance, repair, and replacement;
- (3) Clarifying trash removal exclusions to include invasive vegetation control, excluding the use of herbicides;
- (4) Clarifying exclusions for installation of fencing for invasive species control or preservation of native habitat on conservation land;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2764, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2764, S.D. 1, and be referred to your Committee on Judiciary.

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


LORRAINE R. INOUYE, Chair



