

Honolulu, Hawaii

FEB 08 2023

RE: S.B. No. 507

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 507 entitled:

"A BILL FOR AN ACT RELATING TO WETLAND PRESERVATION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Add definitions for "floodway", "natural stormwater infrastructure", and "wetlands" to section 343-2, Hawaii Revised Statutes;
- (2) Require a proposed housing project of the Hawaii Housing Finance and Development Corporation that is exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, and construction standards to ensure that the proposed project does not impact wetlands or natural stormwater infrastructure; and
- (3) Require an environmental assessment for actions under the environmental impact statements law that propose any development that would impact wetlands or natural stormwater infrastructure.

Your Committees received testimony in support of this measure from The Nature Conservancy, Hawai'i Reef and Ocean Coalition, and one individual. Your Committees received testimony in opposition



to this measure from the Housing Finance and Development Corporation. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.


Your Committees find that wetlands provide numerous crucial benefits to the State, including minimizing flood damage, reducing sediments and nutrients flowing out into reefs, reducing erosion, sequestering carbon, helping to provide healthy food and clean water for local communities, and providing sustainable habitats for native species, including endangered birds like ae'o (Hawaiian stilt) and 'alae 'ula (Hawaiian moorhen). This measure will include wetlands, floodways, and natural stormwater infrastructure in the Hawaii Environmental Policy Act in order to ensure that projects affecting these indispensable natural systems are not overlooked or damaged by development.

Your Committees acknowledge the testimony of the Office of Planning and Sustainable Development, which recommends consultation with the state and county proposing and approving agencies to ascertain their ability to process the potential increase in the environmental review and assessment proposed by this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 507 and recommend that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Environment and Water and Land,


LORRAINE R. INOUE, Chair


MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB507	Committee Referral: AEN/WTL, JDC/WAM	Date: 02/03/23
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)		X		
DECOITE, Lynn		X		
RHOADS, Karl	X	X		
AWA, Brenton	X			
TOTAL	3	2		

Recommendation: Adopted Not Adopted

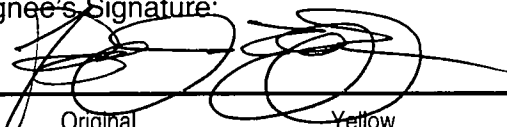
Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 507	AEN/WTL, JDC/WAM	02/03/23		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)		✓		
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt		✓		
TOTAL	3	2	ϕ	ϕ
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
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