

Honolulu, Hawaii

FEB 08 2023

RE: S.B. No. 71  
S.D. 1

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

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 71 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to exempt the proposed drilling, construction, or use of a well and well appurtenances on lands leased from the Department of Agriculture from environmental review requirements, provided that the land is being used to support agriculture and food production.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committees received testimony in opposition to this measure from the Sierra Club of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, and Department of Agriculture.

Your Committees find that existing environmental review requirements can inhibit important agricultural and food production projects and limit the feasibility of new agricultural operations. Your Committees further find that removing regulatory burdens such as environmental review for certain activities and uses can help local agricultural production. Therefore, this



measure exempts the proposed drilling, construction, or use of a well and well appurtenances on lands leased from the Department of Agriculture from environmental review requirements, provided that the land is being used to support agriculture and food production.

Your Committees have amended this measure by:

- (1) Deleting "from environmental impact statements" from the new section title to clarify that the intent of this measure is to exempt the activities so described from all environmental review requirements under chapter 343, Hawaii Revised Statutes, and not limited specifically to environmental impact statement review; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 71, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 71, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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



MIKE GABBARD, Chair

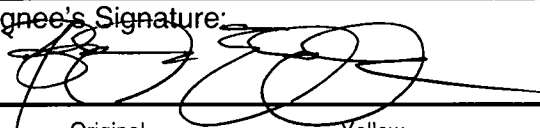


LORRAINE R. INOUE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 71</b>	Committee Referral: <b>WTL/AEN, JDC/WAM</b>	Date: <b>02/03/23</b>		
<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
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)		✓		
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.		✓		
FEVELLA, Kurt			✓	
<b>TOTAL</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

