

Honolulu, Hawaii

FEB 07 2023

RE: S.B. No. 94
S.D. 1

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

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 94 entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL ACTIVITY PERMITS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Land and Natural Resources to approve or deny special activity permit applications for aquatic research within ninety days from the date submitted.

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

Your Committee finds that under section 187A-6, Hawaii Revised Statutes, the Department of Land and Natural Resources issues special activity permits that allow a person to engage in certain aquatic resource activities, otherwise prohibited by law, for scientific, educational, management, or propagation purposes. However, your Committee finds that due to the large volume of permit requests received and the various internal and external review processes required, a permit can take anywhere from one week to over twelve months to be approved, depending on the nature and scope of the proposed activity. Therefore, this measure requires the Department of Land and Natural Resources to either



approve or deny special activity permit applications for aquatic research within ninety days from the date submitted.

Your Committee has heard the testimony of the Department of Land and Natural Resources stating that there is currently only one staff member dedicated to processing special activity permits, which includes, among other duties, reviewing applications, processing annual renewals, and drafting original permit and technical guidance language and submittals to the Board of Land and Natural Resources. The Department testified that unless additional staffing was provided, this measure's ninety-day requirement would likely be unfeasible.

Therefore, your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000 to allow the Department of Land and Natural Resources to hire two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources to support the special activity permit review process; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

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. 94, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 94, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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


LORRAINE R. INOUE, Chair



