

STAND. COM. REP. NO.

607

Honolulu, Hawaii

, 2025

**FEB 13**

RE: H.B. No. 661

H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committees on Energy & Environmental Protection and  
Water & Land, to which was referred H.B. No. 661 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL REVIEW,"

beg leave to report as follows:

The purpose of this measure is to permit, except in certain  
circumstances, a previously authorized activity challenged as  
being subject to environmental review to continue while the  
applicable agency conducts an environmental assessment, prepares  
an environmental impact statement, or determines whether the  
activity is exempt.

Your Committees received testimony in support of this measure  
from the Department of Land and Natural Resources; Office of  
Planning and Sustainable Development; Ocean Tourism Coalition;  
Holo Holo Charters; Captain Andy's Sailing Adventures; Fair Wind  
Cruises; Kona Sunrise Charters; Ka'anapali Beach Resort  
Association; Sailing Maui Inc.; Sea Paradise Scuba Inc.; Sea Quest  
Hawaii; Sail Maui; Body Glove Hawaii; Calypso Charters; OUTRIGGER  
Ka'anapali Beach Resort; Teralani Sailing; OUTRIGGER Hospitality  
Group; Absolute Charters Inc.; Maui Hotel and Lodging Association;  
Jack's Diving Locker; Maui Brewing Co.; Blue Dolphin Charters,  
Ltd.; Maui Chamber of Commerce; Explore Kauai Scuba, LLC; Sailing  
Shippo LTD; Activities & Attractions Association of Hawaii, Inc.;  
and numerous individuals. Your Committees received testimony in



opposition to this measure from the Office of Hawaiian Affairs; Earthjustice; Sierra Club of Hawai'i; Green Party of Hawai'i; Free Access Coalition; Kupuna for the Moopuna; League of Women Voters of Hawaii; and numerous individuals. Your Committees received comments on this measure from one individual.

Your Committees find that recent court decisions have broadened the types of actions that necessitate environmental review. Your Committees further find that this expansion subjects law-abiding operations, including commercial boating and recreational activities, to environmental review, causing disruptions to many businesses. This measure addresses this issue by allowing, except in certain circumstances, a previously authorized activity to continue while the applicable agency or applicant conducts an environmental assessment, prepares an environmental impact statement, or determines whether the activity is exempt.

Your Committees have amended this measure by:

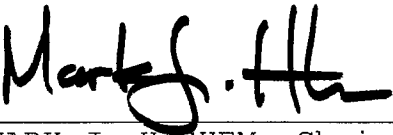
- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees note that there are still significant issues with this measure as written and that continued collaboration with various stakeholders will be necessary to make amendments to this measure as it moves forward.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 661, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 661, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Water & Land,



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MARK J. HASHEM, Chair



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NICOLE E. LOWEN, Chair



HSC 607

Bill/Resolution No.: <b>HB661</b>	Committee Referral: <b>EEP/WAL, JHA</b>	Date: <b>2/11/25</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. PERRUSO, Amy A. (VC)		✓		
3. KAHALOA, Kirstin	✓			
4. KUSCH, Matthias	✓			
5. QUINLAN, Sean	✓			
6. WARD, Gene				✓
TOTAL (6)	4	1		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted          If joint referral, _____ did not support recommendation.				
Vice Chair's or designee's signature: <u>Amy Perruso</u>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				

H5CR 607

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WAL Members		Ayes	Ayes (WR)	Nays	Excused
1. HASHEM, Mark J. (C)		✓			
2. LAMOSAO, Rachele F. (VC)		✓			
3. BELATTI, Della Au			✓		
4. ICHIYAMA, Linda		✓			
5. IWAMOTO, Kim Coco				✓	
6. MORIKAWA, Dee		✓			
7. POEPOE, Mahina				✓	
8. WOODSON, Justin H.					✓
9. SHIMIZU, Garner M.			✓		
10. SOUZA, Kanani			✓		
TOTAL (10)		4	3	2	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					