STAND. COM. REP. NO. 2584

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2357

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2357 entitled:

"A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997,"

begs leave to report as follows:

The purpose of this measure is to remove the sunset date on the use of safe harbor agreements, habitat conservation plans, and incidental take licenses as recovery options for conserving and protecting the State's endangered species.

Testimony in support of this measure was submitted by the Department of Transportation, the Department of Land and Natural Resources, the University of Hawaii, the Hawaii Forest Industry Association, and the Land Use Research Foundation of Hawaii.

Your Committee finds that in 1997, the Legislature approved expanded recovery options for the preparation and implementation of habitat conservation plans and safe harbor agreements. These options provided additional incentives to private landowners to conserve endangered species. In 2001, the Legislature extended this program for an additional five years, making its new sunset date July 1, 2007.

Today, these provisions have been implemented and utilized in projects like the construction of the Ewa North-South Road and the Kapolei Parkway. For this project a regional safe harbor agreement, a habitat conservation plan, and an incidental take license were approved for the relocation and conservation of

endangered species affected by the construction. Your Committee finds that these habitat conservation plans and safe harbor agreements are important for the protection of the State's endangered species and should be permanently implemented. Accordingly, this measure removes the sunset date of July 1, 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2357 and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:*	Committee Re	ferral:	Date:	127	k/2/ 1
SB 2357	EIA/WLA	A, JHW	2	-199	t/04!
The committee is reconside	ring its previou	s decision on t	his measure.	F	'
If so, then the previous decision	on was to:				
The Recommendation is to:					
Pass, unamended (2312)	Pass, with a	imendments	Hold (231)		Recommit (2313)
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)					
HEE, Clayton (VC)					
CHUN OAKLAND, Suzanne ENGLISH, J. Kalani		1.			
IHARA, Jr. <u>,</u> Les					
WHALEN, Paul					
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TOTAL		5	0	0	1
Recommendation:	Adopted		N	lot Adopted	
Chair's or Designee's Signature:		M	, It	<u></u>	
Distribution: Original File with Committee F	Report CI	Yellow erk's Office	Pink Drafting Agend		ldenrod tee File Copy

^{*}Do <u>not</u> list more than one measure per Record of Votes.