

Honolulu, Hawaii

February 9, 2016

RE: H.B. No. 2145

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian  
Affairs, to which was referred H.B. No. 2145 entitled:

"A BILL FOR AN ACT RELATING TO BEACHES,"

begs leave to report as follows:

The purpose of this measure is to specify that naturally occurring sand that is moved from a beach, stream mouth, or channel and used on an adjacent beach for sediment management, erosion management, and beach or dune restoration purposes is not a water pollutant that triggers Department of Health permit and water quality certification requirements.

The Hawaii Shore and Beach Preservation Association submitted testimony in support of this measure. The Department of Health submitted testimony in opposition. The Department of Land and Natural Resources submitted comments.

Your Committee has amended this measure by:

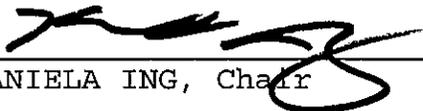
- (1) Clarifying that naturally occurring sand exempt from classification as a pollutant may be used on the beach or littoral cell adjoining the location from which it was moved;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and



- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2145, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Ocean, Marine  
Resources, & Hawaiian Affairs,

  
KANIELA ING, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

**HSCR 116-16**

**Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs**

Bill/Resolution No.: <b>HB 2145</b>	Committee Referral: <b>OMH, EEP, JUD</b>	Date: <b>2/3/16</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)				
OMH Members	Ayes	Ayes (WR)	Nays	Excused
1. ING, Kaniela (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. EVANS, Cindy	✓			
5. LEE, Chris	✓			
6. NISHIMOTO, Scott Y.	✓			
7. SAY, Calvin K.Y.	✓			
8. YAMANE, Ryan I.	✓			
9. POUHA, Feki	✓			
10. THIELEN, Cynthia	✓			
<b>TOTAL (10)</b>	<b>10</b>			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				