

STAND. COM. REP. NO. 330

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 367
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Water and Land and Agriculture and Environment, to which was referred S.B. No. 367 entitled:

"A BILL FOR AN ACT RELATING TO WATER QUALITY,"

beg leave to report as follows:

The purpose and intent of this measure is to waive the requirement for Section 401 Water Quality Certification for any applicant that has received a notice of authorization to proceed from the Department of Land and Natural Resources, Office of Conservation and Coastal Lands under its small-scale beach restoration program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, and Hawai'i Shore and Beach Preservation Association.

Your Committees find that waiving the requirement of water quality certification for small-scale beach restoration projects will result in the efficient administration of site-specific water pollution control and more practical and realistic erosion control alternatives to the deleterious practice of coastal armoring. Your Committees further find that the intent of this measure is not to undermine provisions of the Federal Clean Water Act. According to testimony received by your Committees, the Department of Land and Natural Resources will enforce permit conditions that

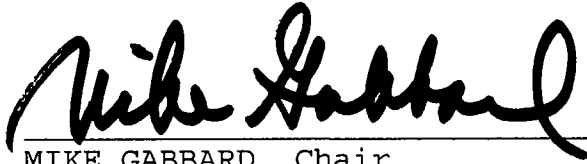


are consistent with Section 401 of the Federal Clean Water Act pertaining to beach restoration and water quality protection.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 367, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 367, S.D. 1, and be referred to your Committee on Judiciary.

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



MIKE GABBARD, Chair

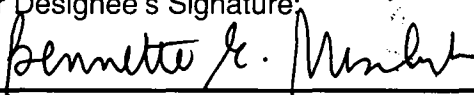


LORRAINE R. INOUYE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i


Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 367	Committee Referral: WTL/AEN, JDC	Date: 2-12-2021		
<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 checked="" type="checkbox"/> ^{Pass} 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
INOUE, Lorraine R. (C)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)	✓			
MISALUCHA, Bennette E.	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	.		✓	
TOTAL	4		1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* SB 367	Committee Referral: WTL/AEN, JDC	Date: 02/12/2021		
<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
GABBARD, Mike (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
ACASIO, Laura			✓	
RHOADS, Karl	✓			
FEVELLA, Kurt			✓	
TOTAL	3		2	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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