

Honolulu, Hawaii

APR 28 2022

RE: S.B. No. 204  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 204, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to use in-lieu fee mitigation to restore, create, enhance, preserve, or any combination thereof, aquatic habitats or resources as compensatory mitigation.

Your Committee on Conference finds that natural resource agencies prefer compensatory mitigation mechanisms such as in-lieu fee mitigation as in-lieu fee sponsors are often entities with more experience, scientific expertise, and a long-term interest in natural resource conservation. Providing the Department of Land and Natural Resources with an additional mechanism to improve stewardship of aquatic public trust habitats and resources,



increased accountability for aquatic resource damage, and a higher quality of restitution for the damaged resource will improve aquatic resource management.

Your Committee on Conference has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 204, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 204, S.D. 1, H.D. 1, C.D. 1.


Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



DAVID A. TARNAS  
Co-Chair



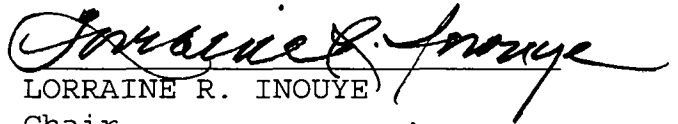
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MARK M. NAKASHIMA  
Co-Chair




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PATRICK PIHANA BRANCO  
Co-Chair



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LORRAINE R. INOUYE  
Chair



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KARL RHOADS  
Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 204, SD 1, HD 1</b>	Date/Time: <b>4/25/22 1:30 P.M.</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
INOUE, Lorraine R., Chr.	✓				TARNAS, David A., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				NAKASHIMA, Mark M., Co-Chr.				✓
KEITH-AGARAN, Gilbert S.C.	✓				BRANCO, Patrick Pihana, Co-Chr.	✓			
FEVELLA, Kurt	✓				LOPRESTI, Matthew S.	✓			
					MCDERMOTT, Bob				✓
<b>TOTAL</b>	<b>4</b>				<b>TOTAL</b>	<b>3</b>			<b>2</b>

A = Aye                      WR = Aye with Reservations                      N = Nay                      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution:                      **Original**                      **Yellow**                      **Pink**                      **Goldenrod**  
    File with Conference Committee Report                      House Clerk's Office                      Senate Clerk's Office                      Drafting Agency