STAND. COM. REP. NO.

2054

Honolulu, Hawaii

FEB 0 3 2022

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

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 204, S.D. 1, entitled:

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

begs leave to report as follows:

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 received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that aquatic in-lieu fee mitigation is an effective mechanism to restore, create, enhance, and preserve aquatic habitats or resources to recover the ecological functions, services, and values of aquatic resources that are lost or anticipated to be lost due to adverse impacts to other similar aquatic habitats. Aquatic in-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation. This measure will provide the Department of Land and Natural Resources with an innovative mechanism to improve state stewardship of aquatic public trust resources and habitats, increase accountability for aquatic resource damage, and provide higher quality remediation to make damaged resources whole again.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 204, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

SB 204, SD1 The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 Members Aye Aye (WR) Nay Excused RHOADS, Karl (C) KEOHOKALOLE, Jarrett (VC)
If so, then the previous decision was to: The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 Pass, with amendments Aye Aye (WR) Nay Excused RHOADS, Karl (C)
The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 Members Aye Aye (WR) Nay Excused RHOADS, Karl (C)
Pass, unamended Pass, with amendments Hold Recommit 2312 Pass, with amendments Aye Aye (WR) Nay Excused RHOADS, Karl (C)
2312 2311 2310 2313 Members Aye Aye (WR) Nay Excused RHOADS, Karl (C) Image: Control of the control of th
RHOADS, Karl (C)
KEOHOKALOLE, Jarrett (VC)
ACASIO, Laura
GABBARD, Mike
KIM, Donna Mercado
LEE, Chris
FEVELLA, Kurt
TOTAL 6 1
Recommendation: Adopted Not Adopted
Chair's or Designee's Signature:
Chair's of Designee's Signature. Palhad
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes