STAND. COM. REP. NO. 1935

Honolulu, Hawaii APR 2 N 2023

RE: H.C.R. No. 126

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.C.R. No. 126, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE TO TAKE CERTAIN ACTIONS REGARDING FUGITIVE DUST,"

begs leave to report as follows:

The purpose and intent of this measure is to urge the United States Department of Agriculture Natural Resources Conservation Service to take certain actions regarding fugitive dust.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in windy conditions, large dust storms can originate from former agricultural lands in the State that have become vacant, depositing topsoil into the ocean and thereby damaging the reefs and the marine environment, as well as detrimentally affecting the health of nearby residents. Your Committee further finds that although the Department of Health's Clean Air Branch regulates the discharge of fugitive dust in the State and imposes penalties for violations, existing rules do not require land owners to have fugitive dust mitigation plans approved by the Director of Health and the existing penalty structure does not consider the scale of the dust emission. This

measure urges the United States Department of Agriculture Natural Resources Conservation Service to take various actions to prevent and address the detrimental effects of fugitive dust arising from vacant undeveloped land.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 126, H.D. 1, and recommends its adoption.

Respectfully submitted on behalf of the members of the Committee on Agriculture and Environment,

MIKE GABBARD, Chair

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Agriculture and Environment AEN

Bill / Resolution No.:* HCR 126 HD1	Committee Referral: AEN			Date: 04 - 12 - 23	
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 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)		X			
RICHARDS, III, Herbert M. "Tim" (VC)		X			
DECOITE, Lynn					<u> بح</u> د
RHOADS, Karl		λ			
AWA, Brenton		×			
					
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TOTAL		4			
Recommendation: Adopted 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