

Honolulu, Hawaii

FEB 07 , 2024

RE: H.B. No. 2473
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2473 entitled:

"A BILL FOR AN ACT RELATING TO CONSERVATION MITIGATION PROGRAMS,"

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to operate and approve conservation bank and conservation in-lieu fee mitigation programs.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from Earthjustice.

Your Committee finds that the federal government, in conjunction with as many as fourteen other states, has developed successful conservation bank and conservation in-lieu fee mitigation programs. This measure would provide mechanisms to enhance the recovery and survival of threatened and endangered species and enhance conservation efforts for candidate, proposed, and indigenous species and their habitats by authorizing the Department of Land and Natural Resources to administer these programs.



Your Committee has amended this measure by:

- (1) Clarifying that compensatory mitigation required for prospective damages shall apply only to indigenous species and their habitats;
- (2) Clarifying that the conservation banks shall be established and operated under a conservation bank instrument;
- (3) Specifying that the Endangered Species Recovery Committee shall review and recommend to the Department all conservation banks and conservation in-lieu fee mitigation programs before the transfer or sale of credits;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2473, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


LINDA ICHIYAMA, Chair



