

STAND. COM. REP. NO. 2654

Honolulu, Hawaii

**FEB 16 2024**

RE: S.B. No. 513  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 513 entitled:

"A BILL FOR AN ACT RELATING TO FISHPONDS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Board of Land and Natural Resources to create a standard lease application and programmatic environmental impact statement to further streamline the process for leasing government-owned fishponds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Kua 'Āina Ulu 'Auamo, Office of Hawaiian Affairs, Food+ Policy Internship, Hawaii Reef and Ocean Coalition, and twelve individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that historically, government-owned fishponds were subjected to an extensive permitting process that required large amounts of resources and time to secure. In 2015, the Office of Conservation and Coastal Lands of the Department of Land and Natural Resources collaborated with other agencies to develop a master permit for traditional Hawaiian fishponds that helped streamline the process. However, the leasing process for



fishponds remains complex, confusing, and difficult to navigate. This measure will streamline the process for leasing government-owned fishponds, promoting the repair, restoration, maintenance, and operation of traditional Hawaiian fishponds.

Your Committee has heard concerns from the Department of Land and Natural Resources that this measure conflates the separate approval and lease processes, which imposes an unsustainable burden on the Department with minimal benefit to the public. Combining the lease application process, which is managed by the Land Division, with the proposed programmatic environmental impact statement (EIS) would place the responsibility for obtaining and managing a programmatic EIS with the Land Division, which does not have the staffing capacity or expertise to do so. H.B. No. 2626 is a substantively similar bill that adopted amendments addressing the Department's concerns.

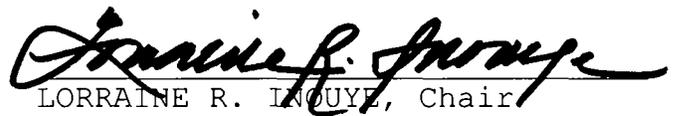
Accordingly, your Committee has amended this measure by adopting the amendments made to H.B. No. 2626, which include:

- (1) Deleting legislative findings;
- (2) Deleting language that would have required the Board of Land and Natural Resources to implement a standard lease application and programmatic environmental impact statement to streamline the leasing process for government-owned Hawaiian fishponds and all its related language;
- (3) Inserting language to specify certain findings that the Board of Land and Natural Resources is required to make for a lease of a government-owned fishpond;
- (4) Deleting the appropriation for the creation of a standard lease application and programmatic environmental impact statement;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 513, S.D. 1, and be referred to your Committee on Ways and Means.

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

  
LORRAINE R. INOUE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 513</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>02/14/24</b>		
<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
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>5</b>	<b>ϕ</b>	<b>ϕ</b>	<b>ϕ</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

**\*Only one measure per Record of Votes**