
A BILL FOR AN ACT

RELATING TO CONSERVATION BANKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the use of
2 conservation banks as compensatory mitigation projects for
3 incidental take licensees with habitat conservation plans
4 increases certainty that the mitigation obligation is complete,
5 expedites project review, and makes project costs more
6 predictable for incidental take licensees. Conservation banks
7 provide long-term, landscape-scale protection to Hawaii's
8 threatened, endangered, candidate, and proposed species.

9 The purpose of this Act is to authorize the department of
10 land and natural resources to operate and approve conservation
11 banks to provide for situations where a person or entity is
12 required to provide compensatory mitigation to offset adverse
13 impacts to threatened, endangered, candidate, or proposed
14 species as part of an approved incidental take license and
15 habitat conservation plan.



1 SECTION 2. Chapter 195D, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART**

5 **CONSERVATION BANKING**

6 **§195D- Definitions.** As used in this part:

7 "Bank sponsor" means any public or private entity
8 responsible for establishing or operating a conservation bank.

9 "Compensatory mitigation" means actions taken to fulfill,
10 in whole or in part, mitigation requirements pursuant to this
11 chapter.

12 "Conservation bank" means a site or suite of sites
13 established under a conservation bank instrument for the
14 purposes of restoring, creating, enhancing, or protecting
15 populations of threatened, endangered, candidate, or proposed
16 species and their habitats expressed as credits.

17 "Conservation bank instrument" means an agreement between
18 the board and a bank sponsor that establishes a conservation
19 bank and describes the terms and conditions of its operation,
20 including a system for assessing and releasing credits to be
21 used for compensatory mitigation.



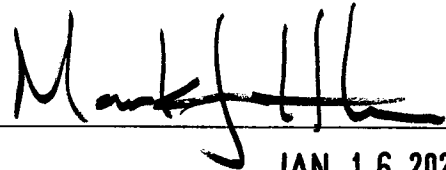
1 "Credit" means a value based on defined units representing
2 the increase in numbers of individuals of a listed species or
3 attainment of enhanced ecological functions or services
4 essential for the survival of a listed species at a conservation
5 bank and released as the conservation bank meets performance
6 criteria included in its conservation bank instrument.

7 **\$195D- Conservation banking.** The department or other
8 bank sponsor may seek board approval of a conservation bank
9 instrument to operate a conservation bank for the purposes of
10 restoring, creating, enhancing, or protecting populations of
11 threatened, endangered, candidate, or proposed species and their
12 habitats to provide for situations where a person or entity is
13 required to provide compensatory mitigation to offset adverse
14 impacts to threatened, endangered, candidate, or proposed
15 species as part of an approved incidental take license and
16 habitat conservation plan."

17 SECTION 3. This Act shall take effect upon its approval.

18

INTRODUCED BY:



JAN 16 2025



H.B. NO. 318

Report Title:

DLNR; Conservation Banks

Description:

Authorizes the Department of Land and Natural Resources to operate and approve conservation banks.

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