STAND. COM. REP. NO. 2456

Honolulu, Hawaii

FOB 17

, 2006

RE: S.B. No. 3096

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 3096 entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN,"

begs leave to report as follows:

The purpose of this measure is to appropriate funds for the state agricultural water use and development plan for fiscal year 2006-2007.

Testimony in support of this measure was submitted by the Department of Agriculture (DOA), the Department of Land and Natural Resources (DLNR), the Hawaii Agriculture Research Center, the Hawaii Farm Bureau Federation, the Maui County Farm Bureau, Alexander & Baldwin, Inc., the Hawaii Crop Improvement Association, and forty-seven individuals. Testimony in opposition to this measure was submitted by the Sierra Club, Hawaii Chapter, and Earthjustice.

Your Committee finds that the DOA is currently tasked with developing the agricultural water use and development plan for the State, which provides a detailed evaluation of all sources of agricultural water and establishes policies and priorities on water use for the State. The DOA has indicated that it is currently working in cooperation with DLNR and the College of Tropical Agriculture and Human Resources for the University of Hawaii on the third phase of this plan. The third phase of the plan will identify potential future needs of agricultural lands in

close proximity to the ten irrigation systems identified in the first phase of the plan. The plan also identifies eleven additional systems that necessitate additional studies to be incorporated into the plan. Your Committee determines that funding is necessary to enable the DOA to begin to study these systems and finalize a comprehensive review of the plan.

However, as your Committee is unclear about the necessary funding for the completion of the plan, your Committee has amended this measure by:

- (1) Removing the \$1 million appropriation amount; and
- (2) Inserting a blank appropriation amount to allow for further discussion and clarification on the funds necessary to complete the plan.

Your Committee notes testimony from Earthjustice and the Sierra Club raising important concerns regarding the need to establish instream flow standards. Your Committee agrees that these standards are very important to the State and emphasizes that this issue is currently addressed in other measures moving through the legislative process.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3096, S.D. 1, and be referred to the Committee on Ways and Means.

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

RUSSELL S. KOKUBUN, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Water, Land and Agriculture (Bills and Resolutions)

Measure:*	Committee Refe		Date:	_ 1	/ /
SB3096	WCA	I, WA	m	2/12	106
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended (2312) (2311) (2310) Recommit (2313)					
Members		Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)		1			
HOOSER, Gary L. (VC)		V			
ENGLISH, J. Kalani		V			
FUKUNAGA, Carol					
HEMMINGS, Fred	100				·
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TOTAL		3			7_
Recommendation: Adopted Not Adopted					
Chair's or Designer's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do <u>not</u> list more than one measure per Record of Votes.