

STAND. COM. REP. NO.

1315

Honolulu, Hawaii

MAR 17 , 2023

RE: S.B. No. 833  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 833, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE WAHIAWA IRRIGATION SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize and appropriate funds to the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire the Wahiawa Irrigation System, on terms negotiated and agreed upon by the Office of the Governor, and to purchase, repair, and maintain the associated spillway; and
- (2) Appropriate funds for the establishment of four full-time equivalent positions for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa Irrigation System.

Your Committee received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Ulupono Initiative, Land Use Research Foundation of

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Hawaii, Hawai'i Farm Bureau, ILWU Local 142, Dole Food Company Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Wahiawa Irrigation System is a critical irrigation system that supplies water to farmers in Waialua and Haleiwa on Oahu. Your Committee notes that Dole Food Company, Inc., has listed the Wahiawa Irrigation System for sale. Your Committee believes that the acquisition, maintenance, and preservation of the Wahiawa Irrigation System and the associated spillway is essential to agricultural irrigation for farmers in central and northern Oahu.

Your Committee has amended this measure by:

- (1) Authorizing the Agribusiness Development Corporation, rather than the Department of Land and Natural Resources, to acquire from Wahiawa Water Company, Inc.; Dole Food Company, Inc.; or Sustainable Hawaii, LLC; the fee simple interest of certain parcels in the Wahiawa Irrigation System;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider the following appropriation amounts:

- (1) \$21,000,000 for the Department of Agriculture to repair and expand the spillway and bring it into compliance with all relevant dam safety requirements;
- (2) \$5,000,000 for the Department of Agriculture to acquire a fee simple interest in the spillway;
- (3) \$800,000 for the Agribusiness Development Corporation to manage and maintain its acquired portion of the Wahiawa Irrigation System; and



- (4) \$500,000 for the establishment of four full-time equivalent positions for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa Irrigation System.

Your Committee also notes the Department of Land and Natural Resources' testimony that due to significant ongoing challenges to manage its portion of the Wahiawa Irrigation System, even the four additional positions may be insufficient staff resources to adequately manage the area. The Department indicated that additional officers from its Division of Conservation and Resources Enforcement will be required to respond to homeless and other enforcement issues in the area and that it will inform your Committee of the Department's estimated needs for this purpose.

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 S.B. No. 833, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 833, S.D. 2, 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



