

STAND. COM. REP. NO.

1510

Honolulu, Hawaii

MAR 24 , 2023

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

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 833, S.D. 2, H.D. 1, 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 authorize 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.

Your Committee received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, North Shore Neighborhood Board No. 27, Ulupono Initiative, Hawai'i Farm Bureau, Dole Food Company Hawaii, and Land Use Research Foundation of Hawaii. 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 complex system that serves numerous purposes that have evolved

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over time. Currently, the system continues to provide irrigation to farmers on a significantly reduced scale.

Your Committee has amended this measure by:

- (1) Requiring the Office of the Governor to negotiate with Sustainable Hawaii, LLC, or other appropriate owner for the State's fee simple acquisition of the Wahiawa irrigation system;
- (2) Clarifying that the appropriation for the Agribusiness Development Corporation to manage and maintain its acquired portion of the Wahiawa irrigation system also includes the requirement that the Corporation manage and maintain the spillway and dam acquired by the Department of Agriculture; 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 an appropriation amount of:

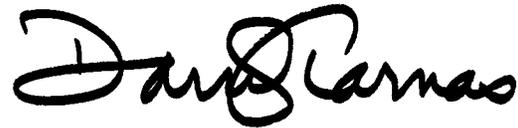
- (1) \$21,000,000 for the Department of Agriculture to repair and expand the spillway associated with the Wahiawa irrigation system and to bring the spillway into compliance with all relevant dam safety requirements;
- (2) \$5,000,000 for the Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa irrigation system;
- (3) \$800,000 for the Agribusiness Development Corporation to manage and maintain its acquired portion of the Wahiawa irrigation system and the spillway and dam acquired by the department of agriculture; and
- (4) \$500,000 for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa irrigation system and for the establishment of four full-time equivalent (4.0 FTE) positions to effectuate these purposes.



Your Committee also respectfully requests your Committee on Finance, should it deliberate on this measure, to consider whether this measure is an appropriate use of public funds.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 833, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 833, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



