

STAND. COM. REP. NO. **2571**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2803
S.D. 1

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

Sir:

Your Committees on Agriculture and Environment and Water and Land, to which was referred S.B. No. 2803 entitled:

"A BILL FOR AN ACT RELATING TO THE KOHALA DITCH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to:
 - (A) Be responsible for the routine maintenance and repair of the Kohala ditch;
 - (B) In collaboration with relevant agencies, develop a comprehensive plan for the refurbishment of the Kohala Ditch; and
 - (C) Submit a report to the Legislature before the convening of the Regular Session of 2025; and
- (2) Appropriate an unspecified amount of funds to inspect, repair, and maintain the Kohala ditch.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Local Food Coalition.



Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that reliable irrigation systems are the lifelines of Hawaii's agricultural community. To ensure that the State's agricultural crops receive a steady and dependable supply of water, irrigation systems need to be repaired, properly maintained, and improved to meet agricultural water requirements and to address extended water droughts. However, your Committees recognize the concerns raised by the Department of Agriculture regarding the potential liabilities associated with the repair, maintenance, and refurbishment of the Kohala Ditch System.

Accordingly, your Committees have amended this measure by deleting its contents and replacing it with language that:

- (1) Requires the Department of Agriculture to:
 - (A) Conduct a feasibility study on the Kohala Ditch System that includes due diligence, costs to repair and maintain, potential use for agritourism, and costs to more effectively transfer the water to increase agriculture production; and
 - (B) Submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and
- (2) Appropriates \$1,500,000 for the Department of Agriculture to conduct the feasibility study.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2803, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2803, S.D. 1, and be referred to your Committee on Ways and Means.



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


LORRAINE R. INOUE, Chair


MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 2803	Committee Referral: AEN/WTL, WAM	Date: 02/09/2024		
<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
INOUE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley				✓
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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