

Honolulu, Hawaii

FEB 08 2018

RE: S.B. No. 2846
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 2846 entitled:

"A BILL FOR AN ACT RELATING TO IRRIGATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Transfer operational authority over the portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of July 1, 2018, to the Department of Agriculture upon adoption of rules;
- (2) Establish and fund positions within the Agricultural Resource Management Division; and
- (3) Authorize the issuance of general obligation bonds to the Agricultural Resource Management Division to increase state irrigation system capacity statewide.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Tropical Flowers Express; Hartung Brothers Hawaii; Saiva Siddhanta Church; East Kauai Water Users' Cooperative; Kalepa Coalition; Hawaii Cattlemen's Council, Inc.; O'ahu County Legislative Priorities Committee of the Democratic Party of Hawai'i; and one individual.



Your Committee finds that the East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The system includes two reservoirs and twenty-two miles of ditch and has historically serviced thousands of acres of state and private lands. In particular, it services more than 1,000 acres of the state Kalepa lands located between Kapaa and Lihue. In the last few years, through the action of the Agribusiness Development Corporation, nearly 300 acres have been leased to farmers who are actively developing crops, including ginger and sweet potatoes. Your Committee further finds that the repair and maintenance of this irrigation system is critical for Kauai's farmers, who depend on the East Kauai Irrigation System for their operations. The East Kauai Water Users' Cooperative no longer has the resources necessary to sustain the East Kauai Irrigation System in the years to come, therefore transfer of this system to the Department of Agriculture will ensure future water availability for farmers.


Your Committee has amended this measure by:

- (1) Clarifying that the portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of July 1, 2018, will be under the operational authority of the Department of Agriculture until the adoption of rules is complete or a determination is made that the system can be appropriately operated and maintained pursuant to chapters 167 and 168, Hawaii Revised Statutes;
- (2) Clarifying that the system will not be governed by chapters 167 and 168, Hawaii Revised Statutes, until it is transferred to the appropriate program; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2846, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2846, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,


MIKE GABBARD, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:* <i>SB 2846</i>	Committee Referral: <i>AEN, WAM</i>	Date: <i>2/2/18</i>		
<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
GABBARD, Mike (C)	<i>X</i>			
RIVIERE, Gil (VC)	<i>X</i>			
NISHIHARA, Clarence K.				<i>X</i>
RHOADS, Karl	<i>X</i>			
RUDERMAN, Russell E.	<i>X</i>			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Gil Riviere</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes