

STAND. COM. REP. NO.

2456

Honolulu, Hawaii

FEB 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

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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



