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## A BILL FOR AN ACT

RELATING TO AGRICULTURAL WATER SECURITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. In accordance with the strategic plan developed  
2 by the United States Department of Agriculture, the legislature  
3 finds that agricultural water security is essential to maintain  
4 public health and well-being, cultivate food, fiber, and energy  
5 crops in the future, and enhance rural recreation and community  
6 aesthetics. Funds for sustaining and expanding surface water  
7 irrigation systems and reservoir storage are essential  
8 investments for Hawaii's sustainable agricultural security.

9           The legislature further finds that water availability and  
10 security for agriculture are inseparable from the costs of  
11 energy. With the exception of gravity-fed plantation era  
12 irrigation systems, water for most agricultural enterprises in  
13 Hawaii entails the costs of transmission, fuel, pumping,  
14 storage, hauling, and field application.

15           The legislature further finds that reservoirs critical to  
16 agricultural production are threatened with decommission due to  
17 the costs of maintenance. Further upgrades for public safety  
18 require a public funding stream to achieve standards of safety,



1 sustainability, and continued service to farmers and ranchers in  
2 Hawaii.

3 The purpose of this Act is to ensure and enhance the  
4 security of the water supply for agriculture in the State.

5 SECTION 2. Chapter 167, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8 "§167- Agricultural water security; electrical power;  
9 emergencies. (a) When electrical power is available from  
10 independent power producers and private cogeneration facilities  
11 in excess of utility transmission capacity or the utility  
12 contract obligations of independent power producers, electrical  
13 power may be diverted to public and private agricultural water  
14 systems for irrigation of agricultural lands; provided that  
15 electricity shall be provided at or below existing avoided cost  
16 contract power purchase agreements between electric utilities  
17 and independent power producers and cogeneration facilities.

18 (b) In the event of an emergency declared by the governor,  
19 electric power, to the fullest extent possible, shall be  
20 diverted directly to agricultural pumping facilities for the  
21 purpose of maintaining agricultural water security."



1 SECTION 3. Chapter 174C, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§174C- Agricultural water security revolving fund. (a)

5 There is established the agricultural water security revolving  
6 fund into which shall be deposited all money appropriated to the  
7 fund by the legislature.

8 (b) The agricultural water security revolving fund shall  
9 be administered by the department of land and natural resources.  
10 Moneys in the revolving fund shall be expended for projects that  
11 enhance and ensure the security of the water supply and  
12 irrigation systems for agriculture in the State, including:

13 (1) Maintenance and upgrade of water wells, reservoirs,  
14 dams, water storage facilities, water pipelines,  
15 ditches, and irrigation systems not operated by the  
16 department of agriculture or agribusiness development  
17 corporation;

18 (2) Administrative costs, engineering surveys, economic  
19 studies, plans, and maps; and

20 (3) Other agricultural water security projects or purposes  
21 of the board of land and natural resources.



1        (c) The state drought coordinator and county drought  
2        committees shall make an annual assessment of the State's  
3        agricultural water security needs and shall submit funding  
4        recommendations to the board of land and natural resources;  
5        provided that priority for investments in the maintenance and  
6        upgrade of facilities that promote agricultural water security  
7        shall be given to agricultural enterprises located on important  
8        agricultural lands as defined in chapter 205."

9        SECTION 4. There is appropriated out of the general  
10       revenues of the State of Hawaii the sum of \$                    or so much  
11       thereof as may be necessary for fiscal year 2008-2009 for  
12       deposit into the agricultural water security revolving fund.

13       SECTION 5. There is appropriated out of the agricultural  
14       water security revolving fund the sum of \$                    or so much  
15       thereof as may be necessary for fiscal year 2008-2009 for the  
16       purposes of this Act.

17       The sum appropriated shall be expended by the department of  
18       land and natural resources for the purposes of this Act.

19       SECTION 6. New statutory material is underscored.

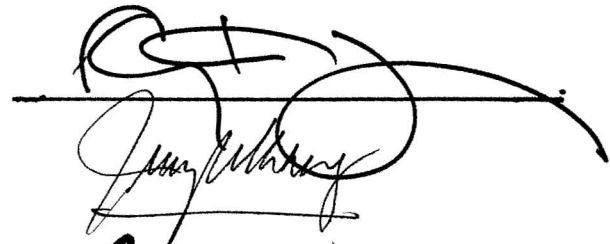
20       SECTION 7. This Act shall take effect on July 1, 2008.

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INTRODUCED BY:



H.B. NO. 2965

  
Cindy Arns

JAN 22 2008



**Report Title:**

Agricultural Water Security

**Description:**

Establishes measures for preserving the security of the State's agricultural water supply in the event of an emergency. Creates the agricultural water security revolving fund to be administered by the department of land and natural resources. Makes appropriation. Effective 7/1/08.

