
A BILL FOR AN ACT

RELATING TO IRRIGATION SYSTEMS.

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

1 SECTION 1. A reliable irrigation system is the lifeblood
2 of Hawaii's agricultural industry. To ensure that Hawaii's
3 crops receive a steady and dependable supply of water,
4 sufficient funding is needed to maintain and improve Hawaii's
5 irrigation systems. In addition, the list of items for which
6 funds from the irrigation repair and maintenance special fund
7 may be used should be broadened to include other irrigation-
8 related items.

9 The purpose of this Act is to:

10 (1) Change the name of the existing irrigation repair and
11 maintenance special fund to the agricultural
12 infrastructure improvement special fund and expand the
13 list of irrigation-related items for which funds from
14 this special fund may be used to include agricultural
15 water and land planning;

16 (2) Authorize and appropriate general obligation bond
17 funds for improvements to various irrigation systems



1 throughout the state, and for the agricultural water
2 use development plan.

3 SECTION 2. Section 167-24, Hawaii Revised Statutes, is
4 amended by amending its title and subsections (a) to (d) to read
5 as follows:

6 " ~~[f]~~ §167-24 ~~[i]~~ ~~[Irrigation repair and maintenance]~~

7 Agricultural infrastructure improvement special fund. (a)

8 There is established in the state treasury the ~~[irrigation~~
9 ~~repair and maintenance]~~ agricultural infrastructure improvement
10 special fund that shall be administered by the board.

11 (b) Moneys in the ~~[irrigation repair and maintenance]~~
12 agricultural infrastructure improvement special fund shall be
13 used to fund ~~[repair and maintenance of the following irrigation~~
14 ~~systems+]~~ improvements for the following agricultural projects:

- 15 (1) East Kauai irrigation system;
- 16 (2) Kekaha ditch;
- 17 (3) Kokee ditch;
- 18 (4) Maui Land/Pioneer Mill irrigation system;
- 19 (5) Waiahole ditch;
- 20 (6) Lower Hamakua irrigation system;
- 21 (7) Molokai irrigation system;
- 22 (8) Upcountry Maui irrigation system;



- 1 (9) Waimanalo irrigation system;
- 2 (10) Waimea irrigation system;
- 3 (11) East Maui irrigation system;
- 4 (12) Kauai coffee irrigation system;
- 5 (13) West Maui irrigation system;
- 6 (14) Kau irrigation system;
- 7 (15) Honomalino irrigation system;
- 8 (16) Wahiawa reservoir and ditch system; ~~and~~
- 9 (17) Taro farmers' irrigation system in Hanalei, Kauai; and
- 10 ~~[(17)]~~ (18) Other privately-owned irrigation systems on
- 11 former sugarcane and pineapple plantation lands that
- 12 have been converted to diversified agriculture.
- 13 Moneys in the fund may also be used for studies for
- 14 agricultural water and land planning.
- 15 (c) The ~~[irrigation repair and maintenance]~~ agricultural
- 16 infrastructure improvement special fund shall be funded by
- 17 legislative appropriations, including general obligation bond
- 18 funds and federal funds.
- 19 (d) Landowners may apply for funding assistance from the
- 20 ~~[irrigation repair and maintenance]~~ agricultural infrastructure
- 21 improvement special fund; provided that the landowner:



- 1 (1) Provides matching funding equal to the amount received
2 from the [~~irrigation repair and maintenance~~]
3 agricultural infrastructure improvement special fund;
- 4 (2) Agrees to file a petition for declaratory ruling
5 pursuant to section 205-45 designating a majority of
6 all land served by the water produced by the
7 irrigation system as important agricultural lands as
8 defined under section 205-42, and notifies the board
9 and county of the petition and designation for the
10 purpose of inclusion on maps; and
- 11 (3) Agrees to use, or provide for the use of, all lands
12 owned or controlled by the landowner and served by the
13 water produced by the irrigation system for
14 agricultural production.

15 The board shall develop processes, policies, standards, and
16 criteria for selecting the landowners that are to receive
17 funding and the amount of such funding. The board shall also
18 develop processes, policies, standards, and criteria for
19 determining the amount of funding provided to irrigation systems
20 in subsection (b) owned by the State."

21 SECTION 3. The director of finance is authorized to issue
22 general obligation bonds in the sum of \$ or so much



1 thereof as may be necessary and the same sum or so much thereof
 2 as may be necessary shall be deposited into the agricultural
 3 infrastructure improvement special fund for the repair and
 4 maintenance of the following irrigation systems, including
 5 personnel for agricultural resource management, and for the
 6 agricultural water use development plan:

- 7 (1) \$ for the west Kauai irrigation system;
- 8 (2) \$ for the east Kauai irrigation system;
- 9 (2) \$ for the Waimanalo irrigation system;
- 10 (4) \$ for the Molokai irrigation system;
- 11 (5) \$ for the upcountry Maui irrigation system;
- 12 (6) \$ for the lower Hamakua ditch irrigation
 13 system;
- 14 (7) \$ for the Waimea irrigation system;
- 15 (8) for the taro farmers' irrigation system in
 16 Hanalei, Kauai; and
- 17 (9) \$ for the agricultural water use development
 18 plan.

19 SECTION 4. There is appropriated out of the agricultural
 20 infrastructure improvement special fund under section 167-24,
 21 Hawaii Revised Statutes, the sum of \$ or so much
 22 thereof as may be necessary for fiscal year 2009-2010 for



1 projects listed under section 3 of this Act. The projects are
2 deemed necessary to qualify for federal aid financing or
3 reimbursement.

4 The sum appropriated shall be expended by the department of
5 agriculture for purposes of this Act.

6 SECTION 5. The appropriation made for the capital
7 improvement projects authorized in this Act shall not lapse at
8 the end of the fiscal biennium for which the appropriations are
9 made; provided that all moneys from the appropriation
10 unencumbered as of June 30, 2012, shall lapse as of that date.

11 SECTION 6. This Act shall take effect on July 1, 2009.



Report Title:

Agriculture; Irrigation Systems; Appropriation

Description:

Appropriates funds for the repair and maintenance of irrigation systems. Renames the existing irrigation repair and maintenance special fund as the agricultural infrastructure improvement special fund and allows the special fund to be used for agricultural water and land planning (HB243 HD1).

