

Honolulu, Hawaii  
MAR 24 , 2022

RE: S.B. No. 2480  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2480, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE WAHIAWA IRRIGATION SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire the Wahiawa irrigation system, on terms negotiated and agreed upon by the Office of the Governor, and to purchase, repair, and maintain the associated spillway; and
- (2) Appropriate funds for:
  - (A) The Department of Agriculture to repair and expand the spillway associated with the Wahiawa irrigation system and bring the spillway into compliance with relevant dam safety requirements;



- (B) The Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa irrigation system; and
- (C) The Agribusiness Development Corporation and Department of Land and Natural Resources to manage and maintain their respective acquired portions of the Wahiawa irrigation system.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Dole Food Company Hawaii, Hawaii Crop Improvement Association, Ulupono Initiative, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Department of Land and Natural Resources.

Your Committee finds that the Wahiawa irrigation system is a complex system that serves numerous purposes that have evolved over time. Currently, the system continues to provide irrigation to farmers on a significantly reduced scale while serving more as a venue for recreational activities, public safety resource, and public infrastructure asset. The Department of Land and Natural Resources maintains conservation and recreational interests associated with the system, while the Agribusiness Development Corporation is acquiring a portion of the irrigation ditch system that serves nearby agricultural lands under its management. Your Committee finds that it is in the public interest for the State to acquire the Wahiawa irrigation system and preserve it for public access and the agriculture industry.

Your Committee notes that according to testimony received by your Committee on Agriculture on this measure, there are additional properties that may be affected that are not currently included in this measure. Your Committee, therefore, requests that these additional properties be considered as this measure proceeds through the legislative process.

Your Committee further notes Dole Food Company testified that it is prepared to gift the Wahiawa irrigation system to the State in exchange for delivery of a maximum of six million gallons per day of irrigation water at no cost. Your Committee believes this negotiation merits further discussion in order to reach a deal that best benefits the residents of the State.



Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2480, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2480, S.D. 2, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

  
MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>SB 2480 SD2</b>	Committee Referral: <b>AGR, JHA, FIN</b>	Date: <b>3-21-22</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.		✓		
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.		✓		
8. NAKAMURA, Nadine K.		✓		
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane				✓
11. WARD, Gene	✓			
<b>TOTAL (11)</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				