

Honolulu, Hawaii

MAR 04 2022

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2480, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of general obligation bonds for the Department of Agriculture and the Agribusiness Development Corporation to purchase the Wahiawa Irrigation System on the island of Oahu.

Your Committee received written comments in support of this measure from the Agribusiness Development Corporation, Ulupono Initiative, Dole Food Co. Hawaii, Hawaii Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee received written comments in opposition to this measure from the Department of Agriculture.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Wahiawa Irrigation System has significant importance to the public for conservation, recreation, research, public safety, infrastructure management, and other purposes. Your Committee therefore believes that the acquisition,



repair, and maintenance of the Wahiawa Irrigation System and the associated spillway are in the public interest and will benefit the State.

Your Committee has amended this measure by:

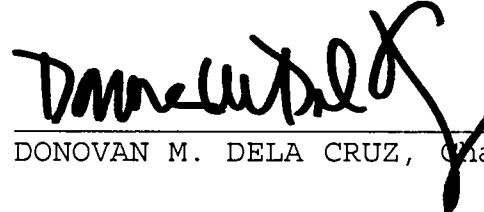
- (1) Requiring that the Office of the Governor negotiate with Dole Food Company for the State's fee simple acquisition of the Wahiawa Irrigation System;
- (2) Authorizing and appropriating moneys for the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire from Dole Food Company and Sustainable Hawaii, LLC, fee simple interests in the Wahiawa Irrigation System and an associated spillway;
- (3) Changing the source of moneys appropriated to purchase the Wahiawa Irrigation System from general obligation bonds to the general fund;
- (4) Prohibiting the Department of Land and Natural Resources from imposing administrative fines on the Department of Agriculture for safety deficiencies at Wahiawa Dam; provided that the Department of Agriculture repairs and maintains the dam and spillway to meet dam safety standards;
- (5) Providing that any existing fines owed by Dole Food Company or Sustainable Hawaii, LLC, for violations of dam safety standards at Wahiawa Dam or the associated spillway shall not transfer to the State upon the sale of the property to the State;
- (6) Appropriating moneys to the Agribusiness Development Corporation and Department of Land and Natural Resources, to manage and maintain their respective portions of the Wahiawa Irrigation System, including the creation of four full-time equivalent (4.0 FTE) positions in the Department of Land and Natural Resources for this purpose; and



- (7) Making technical nonsubstantive changes for purposes of clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2480, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2480, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

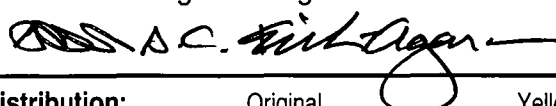


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2400, SD1	WTL/AEN, WAM	3/2/22
<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	
DELA CRUZ, Donovan M. (C)	X	
KEITH-AGARAN, Gilbert S.C. (VC)	X	
INOUYE, Lorraine R.	X	
KANUHA, Dru Mamo	X	
KIDANI, Michelle N.	X	
MISALUCHA, Bennette E.	X	
MORIWAKI, Sharon Y.	X	
SHIMABUKURO, Maile S.L.	X	
TANIGUCHI, Brian T.	X	
WAKAI, Glenn	X	
FEVELLA, Kurt	X	
TOTAL	11	
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
Goldenrod Committee File Copy		

*Only one measure per Record of Votes