

ACT 212

S.B. NO. 2753

A Bill for an Act Making an Appropriation for the Operation and Maintenance of the East Kauai Irrigation System.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Amfac Sugar Company announced in 2001 that it was ceasing operation of its ditch system, comprised of twenty-two miles of ditch and three reservoirs serving two thousand acres of land in Kapaa, Kauai. In March 2002, the East Kauai Water Users' Cooperative (Cooperative) received a revocable permit to operate this state-owned east Kauai irrigation system. Since then, the system has provided a number of benefits, including providing water to the ferns in Fern Grotto, which, prior to the involvement of the Cooperative, did not receive sufficient water to survive. Also, the continued health of the Wailua reservoir, which is part of the system, will greatly assist the State's plans for a public fishing area, campground, and educational center for children in the area.

The Cooperative is now faced with a problem of funding ongoing operations and maintenance of the system. Income from user fees is insufficient to pay for the normal operation and maintenance expense of the system. The legislature finds that reliable irrigation water is critical for the survival of agricultural crops in the Kapaa area.

The purpose of this Act is to appropriate funds for the continued operation and maintenance of the east Kauai irrigation system.

ACT 212

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2006-2007 for the operation and maintenance of the east Kauai irrigation system by the East Kauai Water Users' Cooperative; provided that the sum appropriated shall not supplant any other moneys appropriated to the East Kauai Water Users' Cooperative for fiscal year 2006-2007.

The sum appropriated shall be expended by the agribusiness development corporation for the purposes of this Act.

SECTION 3. This Act shall take effect on July 1, 2006.

(Approved June 20, 2006.)