

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 1898
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 1898, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER,"

begs leave to report as follows:

The original purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to address the problems of the Kailua waterways system by appropriating funds to:
 - (A) Conduct an engineering study and an environmental assessment for the preliminary design and specification of measures to restore adequate water flow from Kawainui marsh to Kawainui stream using siphons, tunnels, pumps, or other appropriate measures;
 - (B) Conduct a study to maximize the efficiency of the monthly stream mouth opening procedures, as well as to improve procedures to respond to threats of flooding due to a blocked canal mouth; and
 - (C) Design and implement measures to reduce the amount of polluted runoff delivered to Kaelepulu pond by redesigning and restoring the function of the Keopu flood basin; and



- (2) Appropriate funds, under certain conditions, for the Department of Transportation to plan, design, and construct measures to address water quality, siltation, and other Kailua waterway system problems as mentioned in this measure.

Testimony in support of this measure was submitted by the Windward Ahupua'a Alliance, and thirty-nine individuals. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources.

Your Committee notes that the various bodies of water which make up the Kailua waterway system are owned by various entities, including the City and County of Honolulu, the State, and private owners. As such, your Committee is cognizant of issues relating to liability with regard to the various bodies of water that make up the Kailua waterway system.

Your Committee has amended this measure by:

- (1) Providing that the City and County of Honolulu, not the Department of Land and Natural Resources, shall undertake the tasks set forth in section 2 of this measure;
- (2) Requiring that the City and County of Honolulu work in consultation with the Department of Health to ensure water quality;
- (3) Appropriating funds to the City and County of Honolulu for the purposes set forth in section 2 of this measure;
- (4) Adding as Part II of this measure, the content of S.B. No. 2486, S.D. 2, which appropriates funds for the Moloka'i Irrigation System Water Users Advisory Board and:
 - (A) Adds a member to the Moloka'i Irrigation System Water Users Advisory Board;
 - (B) Creates a sub-account in the Irrigation System Revolving Fund to enhance transparency; and



- (C) Requires the board to develop a definition of "homestead farmer" and report progress of roadmap meetings with homesteaders.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1898, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1898, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,



CLAYTON LEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 1898, HD 1	Committee Referral: WTL, WAM	Date: 3/18/08
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul				/
TOTAL	3			2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes