



**HB2823, HD2, RELATING TO DAM SAFETY**  
House Committee on Finance

February 22, 2008

3:30 p.m.

Room: 308

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Aloha Chair Oshiro, Vice Chair Lee, and members of the Committee. My name is Clyde Namuo, Administrator of the Office of Hawaiian Affairs. The Office of Hawaiian Affairs **OPPOSES** HB 2823, HD2, which would establish limitations on liability for damages for owners and operators of dams and reservoirs.

In our view, this is no time to be adding liability protections for such damages. We should instead be sending a loud and clear message to these owners and operators that they are fully accountable and responsible for protecting Hawai'i's people and their property from harm from dams and reservoirs.

OHA urges the Committee not to pass HB 2823, HD 2. Thank you for the opportunity to testify.



# Food Company Hawaii

1116 Whitmore Avenue Wahiawa, Hawaii 96786

February 22, 2008

Honorable Marcus Oshiro, Committee on Finance  
Hawai'i State Capitol, Conference Room 308  
415 South Beretania Street  
Honolulu, HI 96813

**RE: HB 2823, HD2, RELATING TO DAM SAFETY – SUPPORT**  
**Committee on Finance, Friday, February 22, 2008, 3:30 PM, Room 308**

Aloha Chair Oshiro and Members of the Committee:

I am Dan Nellis, Operations Director of Dole Food Company Hawaii ("Dole"). We appreciate the opportunity to express our views on HB 2823, HD2, Relating to Dam Safety.

HB 2823, HD 2, limits liability for personal injury or property damage from owners and operators a dam or reservoir. This bill also provides insurance requirements for dam and reservoir owners. Dole supports measures such as this one that keep agribusiness viable in this state.

Dole is fortunate to enjoy continuous agricultural operations in Hawai'i for more than 100 years. At one point in our history, we were one of the largest sugar growers in the state and established the operation of Wahiawa Dam, which at the peak of production provided up to 60 million gallons of water per day for fields stretching from Mokuleia to Waimea Bay. Today, Dole is one of this state's largest pineapple growers. We also farm coffee and cacao on our properties and lease much of our land to diversified agriculture farmers, but our need for irrigation water is just a portion of the system's capacity. We distribute this water amongst a number of other agribusiness and independent farmers that rely on it for irrigating their fields on Oahu's North Shore.

For these reasons, we respectfully urge your passage of HB 2823, HD2. As always, we are grateful for the opportunity to share our views with you.

Sincerely,

Dan Nellis  
Operations Manager, Dole Food Company Hawaii