



Sierra Club Hawai'i Chapter

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SENATE COMMITTEE ON WATER, LAND, AND HOUSING

April 5, 2012, 1:25 p.m.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF GM 754 (JONATHAN STARR)

Aloha Chair Dela Cruz and Members of the Committee:

The Sierra Club, Hawaii Chapter, with 10,000 dues paying members and supporters statewide, *supports* the appointment of Jonathan Starr to the Commission on Water Resource Management (GM 754).

Jonathan Starr is a highly respected, long-time advocate for a balanced approach to stewarding natural resources for a strong economy today *and* a prosperous future for tomorrow. He recently completed a five year term on the Maui Planning Commission and, demonstrating his capacity to work with others, was elected to serve two years as the Chair and one year as the Vice Chair of the Commission. Previously, he spent four years on the Maui Board of Water Supply. He served in a judiciary capacity as presiding officer on a number of contested case hearings before the planning commission, and in a technical capacity as Chair of the Operations and Investigative Committee of the Board of Water Supply.

As an active member of the Maui community, he served in a leadership capacity for several Maui community organizations and nonprofits. Mr. Starr is also a local bee farmer and has run several successful businesses.

The State Water Code specifically requires appointees to have “substantial experience in the area of water resource management.” Haw. Rev. Stat. § 174C-7(b). Mr. Starr meets this standard, and his experience and passion for sustainability would be a welcome voice on the water commission.

Mahalo for the opportunity to testify.

GM 754

Diane Wicker

From: Diana Dahl [melofarm@hawaii.rr.com]
Sent: Wednesday, April 04, 2012 5:48 PM
To: WLH Testimony
Subject: GM754: in Support of Jonathan Starr's App't to State Commission on Water Resource Management

House Committee on Water, Land, and Housing
Att'n: Chair Donovan Dela Cruz

Aloha Chair Dela Cruz and Members of the Committee:

My name is Diana I. Dahl, and I am writing in support of Governor Abercrombie's appointment of Jonathan Starr to the Hawaii State Commission on Water Resource Management. As an organic farmer in Haiku, I know that Mr. Starr's perspective on issues relating to farming and water use will serve the island and state communities well. As you know, he would be the first advocate for the Public Trust doctrine, Hawaiian Traditional Water Rights, and environmental sustainability and stewardship to be appointed and to serve on on this important committee.

Mahalo for your attention and service. I look forward to learning the outcomes of tomorrow's meeting (Thursday, April 5).

Sincerely,
Diana L. Dahl, Melody Farm

April 4, 2012

Senate Committee on Water, Land, and Housing
State Capitol
Honolulu, Hawaii 96813

RE: GM754, Nomination of Jonathan Starr to the Commission on Water Resource Management (CWRM)

Aloha Chair Dela Cruz, Vice Chair Solomon, and Committee Members,

My name is Jonathan Likeke Scheuer. I was born and raised on the island of O`ahu and have studied and worked on water issues in Hawai`i for nearly two decades. My past and present work has been significantly focused on the how the CWRM, staff, and other players in water issues interact in the implementation of the 1987 Water Code.

As you and your Committee well know, implementation of the Code has been difficult, and multiple Commission decisions have been overturned by the Hawai`i Supreme Court. The Court has repeatedly found the Commission has failed to correctly interpret and implement the law in their decision making. Because of this, financial and human resources have been diverted from taking proactive steps to fulfill the Code's dual mandates of resource protection and use. As water is the critical resource for all people in our islands, the costs of these outcomes should not be overlooked.

Ultimately, this repeated pattern of overturning CWRM decisions has multiple causes. If one seeks to understand this dilemma in order to improve it (rather than to lay blame), it is extremely reasonable to state that there could have been better decisions made by the Commissioners who have served as Trustees of this public trust, the Executive Branch that has a role in appointing Commissioners, and the Senate who must confirm these appointments.

It is for these reasons that the Senate's role in confirmation of appointees to the CWRM is so critical. It is particularly crucial that the Senate consider whether or not the candidates have the affirmative statutory requirement of having "substantial experience in the area of water resource management" (HRS 174C-7(b)). Beyond that, it is essential for the Senate to consider the overall balance of the Commission and to ensure that the multiple groups and areas that have a stake in water decisions have a voice and representation on the Commission.

Jonathan Starr, who is now familiar to you as one of the two nominees to CWRM before you today, clearly meets these two tests. In my work on water and other issues, I have had the opportunity to interact with him multiple times, and to me he clearly meets the minimum qualifications outlined in the law and also would contribute an important perspective to the Commission in deliberations.

You have an opportunity today, by confirming Mr. Starr, to take a very positive step in implementing the state's Water Code, and I urge you to do so. Mahalo for your consideration of my mana`o.

Jonathan Likeke Scheuer, Ph.D.
Scheuerj001@hawaii.rr.com

March 16, 2012

Hawai'i State Commission on Water Resource Management
Attn: Nominating Committee
Kalanimoku Building
1151 Punchbowl St. Room 227
Honolulu, Hawai'i

Aloha Members of the Nominating Committee,

Please accept this letter on behalf of Mr. Jonathan Starr in his application to serve on the Hawai'i State Commission on Water Resource Management. I have known Jonathan for over eight years on both a personal and professional level, and know him to be an incredibly thoughtful and passionate individual with a deep sense of integrity and personal conviction. Jonathan embodies both the wisdom and insight needed to negotiate the tremendous challenges of equitable and sustainable allocation of our water resources. Jonathan's insight and commitment to understanding all sides of an issue makes him an excellent candidate for this position.

One of the most admirable qualities Jonathan would bring to this particular commission is his innate ability to listen carefully to all sides in order to come to a clear understanding of the facts. However, Jonathan's incredible wisdom comes through in his ability to work through the issues with fairness and justice, and to make difficult decisions when the situation calls for it. As the former chair of the Maui Planning Commission, Jonathan has ample experience facing challenging decisions. In this capacity he has demonstrated judiciousness and reason in all of his decisions. Moreover, he is also someone that all sides of an issue can easily approach to discuss their concerns. As one who understands the need for good stewardship and the inherent balancing of needs within a diverse community, Jonathan is in a position to implement a management style which promotes both the letter and the spirit of the state water code.

Jonathan's experience running a number of very successful businesses, including his agricultural work running Maui Natural Bee, combined with his appreciation for the cultural sensitivities and ecological integrity of our islands, make him an ideal candidate to appreciate all sides of an issue. Jonathan embodies the best leadership qualities and his service on the State Commission on Water Resource Management would be an asset to the people and the environment of Hawai'i.

Mahalo,

Scott Fisher, Ph.D.