



# LATE TESTIMONY

## Maui County Farm Bureau

*Serving Maui's Farmers and Ranchers*

JANUARY 31, 2012

### TESTIMONY ON HB 1946 RELATING TO WATER

Chair Chang, Vice Chair Har, and Members of the House Committee on Water, Land and Ocean Resources:

My name is Warren Watanabe, Executive Director of Maui County Farm Bureau. We are in strong support of HB1946 and support the amendment proposed by HFBF.

Over the last few years, MCFB has been involved in numerous hearings involving continued access to water by Maui's agriculture. While focus was on HC&S, all of our upcountry farms and ranches depend on water from the same water supply. Our farmers and ranchers attended many hearings -- and they were long. We heard again and again, that water to provide for mauka to makai flow was needed and agriculture needed to practice conservation or choose crops that did not need as much water. Farmers are already using drip irrigation and the crops we grow provide for Maui's level of self sufficiency. We were lucky in having sugarcane operations in 2005 where they supplied the power needed to get our island back on the grid during the major earthquake. Oahu did not have that opportunity. Isn't that what increased self sufficiency is all about? We need to focus on how we meet everyone's needs instead of pitting one entity against another.

After spending hours at hearings, farmers had to go home to move irrigation or pack their products for market. Despite being willing to testify time constraints did not allow them to do so. This is not how we want our farmers and ranchers to spend their time. They need to be in their fields and ranches. Maui is the most dependent on surface water flows so this matter is especially pertinent to our County.

We respectfully urge your support of this measure with the HFBF amendment as a means to move towards increased self sufficiency. This year there are many bills regarding sustainability. This cannot happen without agriculture and it is time that as a State, we are united in supporting our industry. Farmers and ranchers should not feel at risk of their most critical resource to carry on producing agricultural products for all of us.

Thank you for this opportunity to provide our opinion on this matter.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 30, 2012 8:18 AM  
**To:** WLOtestimony  
**Cc:** abaalto@gmail.com  
**Subject:** Testimony for HB1946 on 1/30/2012 9:15:00 AM

**LATE TESTIMONY**

Testimony for WLO 1/30/2012 9:15:00 AM HB1946

Conference room: 325  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: anthony aalto  
Organization: Individual  
E-mail: [abaalto@gmail.com](mailto:abaalto@gmail.com)  
Submitted on: 1/30/2012

Comments:

Aloha Chair Chang and Members of the Committees:

My name is Anthony Aalto and I am testifying in strong opposition to HB 1946.

This bill is an unconscionable attack on the public trust doctrine. It appears to be designed purely to benefit private special interests.

There is no need for the proposals contained in this terrible bill and I respectfully ask you to table it.

Water in this state is a public resource. It is the duty of the Legislature to ensure that this resource is protected for enerationns to come.

It was precisely for this reason that protections were so deliberately inserted into the Constitution and the Water Code to ensure a balance between fostering careful use today and ensuring conservation for the future.

But this bill would up-end that balance. It would undermine environmental protection and Native Hawaiian rights.

It would give priority to profit-driven enterprises. This is unnecessary.

I urge you to respect the public trust doctrine that was both built into our constitution and affirmed by the Supreme Court and kill HB 1946.

Our State Water Code is not broken and does not need fixing.

Tinkering with the Code, as proposed by HB 1946, will only create confusion, distortion, and more litigation. I urge you to kill this terrible bill.

Thank you for this opportunity to testify.

Yours truly,  
Anthony Aalto

# LATE TESTIMONY

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 30, 2012 8:32 AM  
**To:** WLOtestimony  
**Cc:** imua-hawaii@hawaii.rr.com  
**Subject:** Testimony for HB1946 on 1/30/2012 9:15:00 AM

Testimony for WLO 1/30/2012 9:15:00 AM HB1946

Conference room: 325  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: Isaac Harp  
Organization: Individual  
E-mail: [imua-hawaii@hawaii.rr.com](mailto:imua-hawaii@hawaii.rr.com)  
Submitted on: 1/30/2012

**Comments:**

OPPOSING HB 1946, which would: (1) shift the Water Commission's "primary duties" away from protecting the public trust; and (2) make PRIVATE commercial water use for agriculture on "important ag lands" a protected "public trust use." This violates fundamental principles of the public trust.