



GM 795

**SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION
ON WATER RESOURCE MANAGEMENT, GUBERNATORIAL NOMINEE,
KAMANAMAICALANI BEAMER, TERM TO EXPIRE 6-30-2021**

Senate Committee on Water and Land

April 17, 2017

2:45 p.m.

Room 224

The Office of Hawaiian Affairs **SUPPORTS** GM795, which would confirm Dr. Kamanamaikalani Beamer to a second term on the Commission on Water Resource Management (CWRM).

Water's importance to the Native Hawaiian people is captured in the 'ōlelo no'ēau "Ola i ka Wai (Water is Life)." Since time immemorial, this precious resource was traditionally considered to be part of the public trust, not to be owned as a private commodity, but to be administered for the common good. Traditional management and assurance of ma uka to ma kai stream flow thus ensured sufficient water for food production, drinking water, healthy estuaries, ground water recharge, and important traditional and customary practices.

Consistent with traditional understanding, the state of Hawai'i recognizes fresh water as a public trust resource for present and future generations. However, in spite of this important designation, the state has in many instances managed our water resources as a commodity, to the detriment of the rights and interests of traditional and customary practitioners, subsistence and small scale farmers, appurtenant right holders, the Department of Hawaiian Home Lands, and domestic users.

For these reasons, CWRM decisions may have direct, long-term impacts on both Native Hawaiians and the larger community. OHA therefore seeks to ensure that CWRM members possess a demonstrated and culturally-grounded respect for the public trust in our water resources, consistent with traditional understandings and values. **Dr. Beamer clearly possesses a deep and culturally-grounded understanding of the need to uphold the public trust in our water resources, and his confirmation to a second term would allow CWRM to continue to benefit from his expertise in Native Hawaiian culture and traditional Hawaiian resource management.**

Dr. Beamer's extensive background and knowledge of Hawai'i's water resource issues have already proven to be tremendous assets to CWRM, enriching their discussions and decision-making over the last three years. Dr. Beamer is currently an assistant professor in the Hui 'Āina Momona Program at the University of Hawai'i. This program

partners the College of Social Sciences, Hawai‘inuiākea School of Hawaiian Knowledge, the William S. Richardson School of Law, and other colleges within the UH Mānoa toward the goal of developing cross-disciplinary solutions to natural and cultural resource management, which includes water management. Dr. Beamer also has accrued on-the-ground water management experience through his leadership of the ‘Āina Ulu Land Legacy Education Initiative with Kamehameha Schools. This ongoing initiative required Dr. Beamer to coordinate 20 community organizations working toward the broad goal of responsible resource stewardship, which includes stewardship over water resources. The initiative provided substantial opportunities for Dr. Beamer to engage in water management across Ka Pae ‘Āina in kalo fields, fishponds, and streams. Finally, Dr. Beamer has spent extensive personal time implementing traditional water management techniques, particularly in kalo cultivation.

OHA views Dr. Kamanamaikalani Beamer’s nomination for a second term on CWRM as a positive step towards better upholding the State’s affirmative obligations to Native Hawaiians and the public trust in water.

Accordingly, OHA urges this Committee to **PASS** GM795. Mahalo for the opportunity to comment on this important measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Monday, April 17, 2017
2:45 PM**

State Capitol, Conference Room 224

**In consideration of
GOVERNOR'S MESSAGE 795
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE
COMMISSION ON WATER RESOURCE MANAGEMENT, GUBERNATORIAL
NOMINEE, KAMANAMAICALANI BEAMER, FOR A TERM TO EXPIRE 6-30-2021**

The Department of Land and Natural Resources (Department) strongly supports the Governor's nomination of Dr. Kamanamaikalani Beamer to serve on the Commission on Water Resource Management (Commission) for a term to expire 6-30-2021.

The Commission is required under Section 174C-7, Hawaii Revised Statutes, to select commissioners through an open, competitive process. An independent nominating committee composed of two (2) members selected by the Governor, one (1) by the Senate President and one (1) by the House Speaker, solicits candidates typically by placing an ad in the papers across the State, in the monthly bulletin of the Commission, and on the Commission's website. The Nominating Committee reviews the applications, conducts interviews if desired and sends to the Governor the names of at least three individuals for consideration.

The nominees, by law, must have "substantial experience in the area of water resource management."

In accordance with this nominating process, the Governor selected Dr. Kamanamaikalani Beamer.

If confirmed, this will be Dr. Beamer's second term on the Commission, having previously been nominated and confirmed by the 2012 Legislature. In his four years on the Commission, Dr. Beamer has contributed greatly to the thoughtful discussion and resolution of a broad range of water issues facing the Commission, balancing competing interests while determining reasonable and beneficial uses of our precious water resources. He is a passionate advocate for the environment, cultural rights, and public rights in the water resources trust.

Dr. Beamer is currently a professor at the University of Hawaii at Manoa in the Hui Aina Momona Program. He teaches courses and conducts research in the ahupuaa system, water resource management and optimization, and indigenous knowledge related to resource management. Dr. Beamer has published an award-winning book *No Makou Ka Mana* that provides a new perspective on the Mahele and required extensive research of Mahele documents and maps. This area of expertise will be especially valuable as the Commission is in the midst of determining appurtenant rights in Na Wai Eha, Maui.

Previously, Dr. Beamer worked for Kamehameha Schools where he helped twenty-four diverse community groups statewide to restore fishponds, implement best management practices for agriculture and ecosystem health and services, and help communities monitor the work. Dr. Beamer has also been a taro farmer in Waipio Valley and has first-hand knowledge of on-the-ground water resource management practices.

Dr. Beamer's cultural background, work, and academic qualifications bring a wealth of knowledge in traditional water resource management practices and conventional agricultural water systems.

The Department strongly supports Dr. Kamanamaikalani Beamer's nomination and re-appointment to the Commission on Water Resource Management.



SIERRA CLUB OF HAWAI'I
MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEE ON WATER AND LAND

April 17, 2017 2:45 PM Room 224

In SUPPORT GM 795

Relating to the Commission on Water Resource Management
Nomination of Kamanamaikalani Beamer

Aloha Chairman Rhoads and members of the Water and Land Committee,

The Sierra Club of Hawai'i **supports GM 795** relating to the nomination of Kamanamaikalani Beamer for the State Commission on Water Resource Management.

The Commission on Water Resource Management consists of seven members, five of whom are appointed by the governor and confirmed by the State Senate. This Commission administers the State Water Code, which was created by the 1987 Hawaii State Legislature. The Water Commission's general mission is to protect and enhance the water resources of the State of Hawai'i through wise and responsible management.

Dr. Kamanamaikalani Beamer is current Water Resource Management commissioner and an Assistant Professor in the Hui 'Āina Momona program split between the School of Hawaiian Knowledge and the School of Law. His research publications and interest focus on indigenous agency, Native Hawaiian land tenure, resource management, food systems, and the land and resource law of the Hawaiian Kingdom.

Dr. Beamer has dedicated his career to protecting Hawai'i's imperil water resources. For his continued good work on the Commission of Water Resource Management, we support the reappointment of Kamana Beamer in GM 795.

Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,

Marti Townsend
Director



April 11, 2017

Aloha e Senators,

Please accept this testimony on behalf of KAHEA: The Hawaiian-Environmental Alliance. KAHEA is a Hawai'i-community based 501(c)(3) nonprofit organization with over 10,000 supporters. We are writing in strong support of G.M. No. 795, through which the Governor submitted for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, Kamanamaikalani Beamer, for a term to expire June 30, 2021.

PROTECTING

NATIVE HAWAIIAN

CUSTOMARY & TRADITIONAL

RIGHTS AND OUR FRAGILE

ENVIRONMENT

Hawai'i greatly benefitted from Dr. Beamer's expertise and decision-making abilities during his first term, which began in 2013. His skills and experience are ideal for any candidate for the Commission seat reserved for persons with knowledge of native Hawaiian traditional and cultural practices. For example, Dr. Beamer brought gravity and strong leadership to a decision concerning whether to issue a considerable fine against Hawaiian lo'i kalo farmers utilizing kuleana lands on Maui for their alleged failure to obtain a Stream Diversion Works Permit. Upon more careful investigation, the Commission found that no such violation occurred. Commissioner Beamer was amongst those who articulated critical questions about whether Hawaiians engaged in the traditional practice of farming lo'i on kuleana lands needed a permit in the first place; sought assurances that such missteps would not occur in the future; and recognized both the costs of time and expense to the farmers who had to fly in from Maui and the complicated task that CWRM staff engages in protecting water resources.

Mahalo for considering our testimony. Please approve GM 795.

Mailing Address
P.O. Box 37368
Honolulu, HI 96837

toll-free phone/fax
877.585.2432

www.KAHEA.org
kahea-alliance@hawaii.rr.com

KAHEA Board and Staff 2017

Jonathan Kamakawiwo'ole Osorio, Board President
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Shelley Muneoka, Treasurer
Bianca Isaki, Secretary
Lauren Muneoka, Staff
Marti Townsend
Logan Narikawa
Candace Fujikane
Lucy Gay

KAHEA: the Hawaiian-Environmental Alliance is a non-profit 501(c)3 working to protect the unique natural and cultural resources of the Hawaiian islands. KAHEA translates to English as "the call."

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 14, 2017 9:47 AM
To: WTL Testimony
Cc: unaviami@yahoo.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/14/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bryna Storch	Commercial Farm	Support	No

Comments: Please re-appoint Dr. Beamer to the water commission. As a commercial farm on Kauai, we are very much impacted by the CWRM's capabilities to protect and fairly allocate this public and natural resource to support healthy ecosystems and sustainable food systems. I have observed Dr. Beamer to be successful in bringing the Commission together to better serve Hawai'i and implement the water code to its highest purpose. We greatly appreciate Dr. Beamer for his work thus far. Thank you for your consideration.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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April 13, 2017

Honorable Senator Karl Rhoads, Chair
Senate Committee on Water and Land
Hawaii State Capitol
Honolulu, HI 96813

**SUBJECT: TESTIMONY IN SUPPORT OF DR. KAMANAMAICALANI BEAMER
FOR CONFIRMATION TO THE STATE COMMISSION ON WATER
RESOURCE MANAGEMENT**

To the Honorable Chair Rhoads and members of the Senate Committee on Water and Land:

I am writing to express my full support for Dr. Kamanamaikalani Beamer's confirmation to the State Commission on Water Resource Management for a second term. Dr. Beamer has shown exemplary community advocacy and involvement and continues to demonstrate his commitment to water resource management and optimization in all capacities in which he serves.

Dr. Beamer is highly qualified to serve on the State Commission on Water Resource Management and will continue to be a valuable asset in his second term. Through his work as an Associate Professor at the University of Hawai'i at Mānoa, in the Hui 'Āina Momona program, he teaches courses and conducts research in: resource management, Indigenous knowledge systems, land tenure, and the ahupua'a system as they relate to resource management. He also has significant experience in traditional Hawaiian water resource management techniques and usage through his ongoing work as a farmer and 'Āinaist.

In his current role as a Water Commissioner, I have observed Dr. Beamer's ability to navigate through difficult decisions with aloha and grace. Dr. Beamer is a person of high integrity and has upheld his fiduciary and judicial responsibility to maintain Hawai'i's most precious natural resource (all of Hawai'i's surface and ground water) in perpetuity for the benefit of Hawai'i's people, ecosystems, and future generations.

I highly recommend Dr. Kamanamaikalani Beamer to serve for a second term on the State Commission on Water Resource Management. He has a strong track record of informed decision-making and conducts himself with the highest standards of integrity and dedication.

Mahalo,



Keli'i Kapali
Senior Planner
PBR HAWAII

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 10, 2017 10:51 AM
To: WTL Testimony
Cc: hawaiianhomegrown@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/10/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Noa Lincoln	Individual	Support	No

Comments: I have followed the minutes of the State Water Resources Commission, and have found Dr. Beamer to be a fair and forward-looking voice that well represents the people and the needs of our state. I strongly endorse Dr. Beamer for continued appointment to the Water Commission.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 10, 2017 9:22 AM
To: WTL Testimony
Cc: sabrakauka@aol.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/10/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sabra Kauka	Individual	Support	No

Comments: Aloha, I write in strong support of Dr. Kamanamaikalani Beamer's reappointment to serve on the State Water Resource Management Commission. Dr. Beamer is keenly aware of "Eia ka wai la. He wai e ola." Where there is water there is life. He will keep this in mind when he makes decisions on the commission. Signed, Sabra Kauka, Lihue, Kauai.

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 9, 2017 3:26 PM
To: WTL Testimony
Cc: kapela.kaulana@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/9/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Eva Elizabeth Eli	Individual	Support	No

Comments: Every government responsible to lead and serve its people, should be led by and for its native community. When It's people and land thrive, all who call Hawai'i thrive as well. I submit this testimony in full support of my Hawaiian brother, teacher & friend. Kamana Beamer has the wisdom, humility and integrity needed in any seat of power. As a Water Board commissioner, we trust that Kamana can and will protect our land, our well-being and our people for the sake of Hawai'i's future sustenance. Mahalo for considering such a fine candidate for this position of honor.

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It is a pleasure to write in support of Dr. Kamanamaikalani Beamer for reappointment to the Water Commission. I have great admiration for Kamana (as I know him), and I believe he is an outstanding person with a good mind, deep commitment, and a strong heart. I strongly support his reappointment for the knowledge and passion he brings to the Commission.

I met Kamana for the first time perhaps a decade ago, and I have worked with him since on the First Nations Futures Program (FNFP) at Stanford and in Hawaii, on the land in Waipio Valley and in Leeward Kohala, on community development in the Kohala Center, and in coauthoring a publication. As part of that work we have made a joint presentation to and workshop with FNFP in which we describe agriculture in Hawaii – both the lo'i system that Kamana has long worked within and the dryland system I'm working on – and its connection to the relationship between people and land, ancestors and ali'i, and also its connection to western ideas of innovation and sustainability. The session is a labor of love for us; I enjoy working with Kamana, more than I enjoy working with any other young scholar anywhere.

The quality of Kamana's scholarship is impressive – which together with his personal qualities makes it a joy to work with him as a collaborator. I read his book *No Mākou ka Mana* several years ago, and have given it to friends and family members, Hawaiian and Haole, both because of the information it contains and to illustrate the power of indigenous scholarship.

I believe Kamana brings numerous strengths to the Board. His cultural strength is coupled to an understanding of financial realities – he has run a non-profit with a large regional footprint – and with an appreciation for diversity. His success in acquiring land in North Kohala, Kohala Mountain, and the Kuamoo battlefield shows his effectiveness – and I know the process has deepened his appreciation for the value of alliances with a broad range of communities, in moving Hawaii forward. I cannot think of another individual with the combination of strengths and of character that Kamana brings to the Commission.

Overall, Kamanamaikalani Beamer has my strongest recommendation. If I can help in any other way, please don't hesitate to contact me.

Peter Vitousek
Professor of Biology
Stanford University
vitousek@stanford.edu

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 7, 2017 5:28 PM
To: WTL Testimony
Cc: kaleo.manuel@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/7/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Marvin Kaleo Manuel	Individual	Support	No

Comments: Aloha Chair, Vice Chair, and Committee Members, I strongly support the Governor's nomination of Kamanamaikalani Beamer to serve on the Commission on Water Resource Management (CWRM) until June 30, 2021. As a current Commissioner on the CWRM, Kamana has approached the various discussions and decisions of the CWRM in a professional manner and with a holistic perspective. His actions have supported the mission of the CWRM to protect and enhance the water resources of the State of Hawaii through wise and responsible management. As a kanaka maoli, Native Hawaiian, he provides invaluable insight and knowledge about the traditional and customary practices of his people to the CWRM in their decision making as stewards of our water resources. I respectfully request that the Senate confirm the Governor's nomination of Kamanamaikalani Beamer to the CWRM. Mahalo nui. Ola i ka wai!

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 12, 2017 10:02 AM
To: WTL Testimony
Cc: tiare@hapahi.org
Subject: *Submitted testimony for GM795 on Apr 17, 2017 14:45PM*

GM795

Submitted on: 4/12/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tiare Lawrence	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 11, 2017 8:39 PM
To: WTL Testimony
Cc: kawikaburgess@yahoo.com
Subject: *Submitted testimony for GM795 on Apr 17, 2017 14:45PM*

GM795

Submitted on: 4/11/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kawika Burgess	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 11, 2017 1:11 PM
To: WTL Testimony
Cc: ginik@hawaii.rr.com
Subject: *Submitted testimony for GM795 on Apr 17, 2017 14:45PM*

GM795

Submitted on: 4/11/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Gini Kapali	Individual	Support	No

Comments:

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Imiola Lindsey, PE
PO Box 44-371
Kamuela HI 96743

April 10, 2017

The Honorable Ronald Kouchi, President
And Members of the Senate
Twenty-Ninth State Legislature
Hawai'i State Capitol, Room 409
Honolulu, Hawai'i 96813

Dear Senate President Kouchi and Members of the Senate,

I am writing this letter in support of GM 795, nominating Dr. Kamanamaikalani Beamer for a second term with the State Commission on Water Resource Management.

Kamana has been invaluable to this commission. He has a deep understanding of aina and Hawaiian culture and is respected in communities across Hawaii. As a water resource professional, I greatly appreciate the balanced and moderate viewpoint that Kamana brings to the very difficult and at times polarizing issues heard by this State commission.

Respectfully,

Imiola Lindsey

Ke Kōmike no ka Wai a me ka 'Āina
COMMITTEE ON WATER AND LAND
Kenekoa/Senator Karl Rhoads, Luna Ho'omalū/Chair
Kenekoa/Senator Mike Gabbard, Hope Luna Ho'omalū/Vice Chair

No Ka 'Aha Ho'olohe i Pāku'i 'ia
AMENDED NOTICE OF HEARING

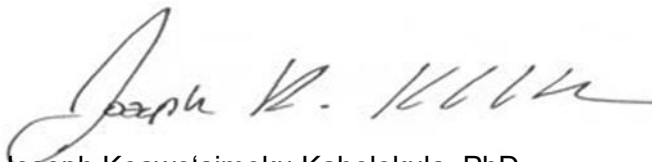
Lā / DATE: Pō'akahī, 'Apelila 17, 2017/ Monday, April 17, 2017
Hōla / TIME: 2:45 p.m.
Wahi / PLACE: Lumi 'Aha Kūkā 224 / Conference Room 224
Ke Kapikala Moku'āina / State Capitol
415 South Beretania Street

TESTIMONY IN SUPPORT OF GM 795

SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION ON
WATER RESOURCE MANAGEMENT, GUBERNATORIAL NOMINEE, KAMANAMAICALANI
BEAMER, FOR A TERM TO EXPIRE 06-30-2021.

Honorable Chair Rhodes and Gabbard. I am Joseph Keawe'aimoku Kaholokula, PhD, Professor and Chair of Native Hawaiian Health at the John A. Burns School of Medicine, University of Hawai'i at Mānoa (UHM). I wish to submit this personal testimony in strong support of GM 795 to appoint gubernatorial nominee Kamanamaikalani Beamer to the Commission on Water Resource Management. Dr. Beamer is the ideal person for this nomination because he has both the cultural, educational, and professional experience and expertise to effectively manage our most precious resource in manner consistent notions of sustainability and mālama 'āina (responsible stewardship of our natural resources). Mahalo nui.

Respectfully submitted by,



Joseph Keawe'aimoku Kaholokula, PhD

April 13, 2017

Rebecca Kapolei Kiili
King Kekaulike High School
121 Kula Highway
Pukalani, HI 96768

Aloha Senate President Kouchi and Members of the Senate,

My name is Rebecca Kapolei Kiili. I am a resident of Maui born and raised. I am currently teaching at King Kekaulike High School in the Hawaiian Language Immersion Program (HLIP). I have 13 years of teaching experience in the HLIP and am also a proud graduate of our state public school system along with our University of Hawaii system schools. I believe that education is my contribution to our community.

I am writing in strong support of GM 795 for consideration and confirmation to the Commission on Water Resource Management Kamanamaikalani Beamer for a term to expire 06-30-2021. I believe that his service in this capacity represents our diverse community and his experiences, both personal and professional, are valuable to the responsibility of a water commissioner.

As a long time resident of Maui, I am aware of the varied needs and challenges in our community regarding water. I believe Kamanamaikalani Beamer to be well informed and will serve in a manner that is respectful of all. His previous experience attest to his ability and leadership.

Thank you for your time and consideration.

Me ka mahalo,

Rebecca Kapolei Kiili

Rebecca Kapolei Kiili

Kevin K.J. Chang
1815 Alewa Dr.
Honolulu, HI. 96817

12 April 2017

**Re: Support for Kamana Beamer Governor's Message 795.
Testimony in support for hearing by the Senate Committee on Water and Land
April 17, 2017; Legislature Room 224; 2:45 pm**

Dear Chair Rhoads, Vice Chair Gabbard and Committee members:

My name is Kevin Chang. I write in strong support of Governor's Message 795, nomination of Mr. Kamana Beamer to a second term of service to our State Water commission.

I am an inactive attorney who currently parlays most of my time in service as the executive director of Kua'āina Ulu 'Auamo (KUA). The name means "grassroots growing through shared responsibility" and our acronym means backbone. KUA primarily serves rural Hawaiian community groups, families, and others engaged in hands-on, site-based natural resources stewardship. KUA works to empower their efforts to practice community based natural resource management (CBNRM) to care for land, ocean, and culture primarily through the development and facilitation of networks of practice. Water of course is at the core of our community's needs.

My life and Mr. Beamer's have often converged since we first met in the early 2000's as fellow musicians and battered athletes. Mutually, our music -a definite reflection of our youth at the time- is surprisingly predictive of the more mature state of our contemporary life's work. The narrative of our compositions spoke of taking responsibility for our lives and working to better the future of our community. Today we continue to pursue this narrative -though now in a more nuanced adult like manner- guided by a *kuleana* to build a brighter, more abundant, prosperous and verdant future for our community.

I believe Kamana reflects the traits necessary for a fiduciary, not just for this specific position and not just now but for its evolving meaning to our community and world. Over time the concept of a fiduciary has become more Hawaiian. Kamana is a leader in a generation that is the vanguard for this shift in thinking. His influential publications exemplify the thinking and practice of the stewardship of *waiwai* -our water, our land and our natural resources- literally the foundational wealth of Hawai'i.

There is an emerging understanding of long term investing and the connection between earth and its abundance and what makes an abundant economy. I believe to neglect one at the expense of the other will increasingly become seen as imprudent. The trajectory of Kamana's life reflects the prudence and other character traits of new leadership and vision for our island community and the resources that sustain us.

Thank you for letting me testify in support of my friend.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Chang', with a long horizontal flourish extending to the right.

Kevin K.J. Chang

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 16, 2017 9:28 AM
To: WTL Testimony
Cc: waioli2.c@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/16/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
chris kobayashi	Individual	Support	No

Comments: Aloha, This is a letter supporting the nomination of Dr. Kamanamaikalani Beamer for the State Water Resource Management Commission. His perspective and Hawaiian values are essential and imperative to balancing water use and oversight for all of Hawaii. Mahalo for your support. Chris Kobayashi, lo`i kalo farmer, Wai`oli, Kaua`i

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SENATE COMMITTEE ON WATER AND LAND
ATTN: CHAIR SENATOR KARL RHOADES & VICE-CHAIR SENATOR MIKE GABBARD

Testimony in Strong Support of GM 795:
Confirming Kamanamaikalani Beamer, Ph.D., to the Water Commission

April 17, 2017, 2:45 p.m. Conference Room 225

Aloha Chair Rhoades, Vice Chair Gabbard, and Members of the Committee:

I am testifying in strong support of Kamanamaikalani Beamer, Ph.D. and urge you to re-confirm him to the Commission on Water Resources Management (“Water Commission”).

Dr. Beamer has the academic and cultural backgrounds, temperament, and fortitude to continue to successfully serve on the Water Commission, which is responsible for stewarding some of Hawai‘i’s most precious treasures.

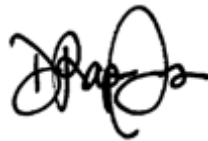
For more than fifteen years, I have had the privilege of working with Dr. Beamer in various capacities, from his tenure at Kamehameha Schools, to his position as a professor at the University of Hawai‘i at Mānoa, and beyond. Although I am submitting this letter in my personal capacity, I am Dr. Beamer’s colleague at the University of Hawai‘i’s William S. Richardson School of Law. In fact, I co-chaired the hiring committee that successfully recruited him to the University. Given my range of experiences with Dr. Beamer, I am well suited to comment on his qualifications and wholeheartedly support his re-nomination to the Water Commission.

In addition to being a professor, I have an active law license and have practiced before the Water Commission for almost twenty years. I say without reservation that Dr. Beamer is the most qualified Water Commissioner that I have ever known. He understands and embraces his constitutional and statutory mandates as a trustee of public trust resources. During his tenure, the Commission has had to manage highly political and controversial issues, which he has done with intellect, fairness, and grace. His leadership has also played a key role in bringing together diverse perspectives and creating a safe space where beneficiaries of the public trust have felt heard and respected, even if they ultimately disagreed with a decision.

In countless ways, Dr. Beamer’s background and skills provide the perfect training for a Water Commissioner. Beyond his sterling professional and academic credentials, Dr. Beamer has a strong grounding in nā mea Hawai‘i (things Hawaiian), including years of personal experience farming kalo in Waipi‘o Valley. He significantly exceeds the State Water Code’s requirement of “substantial experience in the area of water resource management.” Haw. Rev. Stat. § 174C-7(b).

In sum, Dr. Beamer has my highest and most unconditional recommendation. I hope you will give him the opportunity to continue to serve. If you have any questions, please don’t hesitate to contact me. I would welcome the opportunity to discuss Dr. Beamer’s qualifications in greater detail.

Very Truly Yours,



D. Kapua‘ala Sproat
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Melody Kapilialoha MacKenzie
579 Kāneʻapu Place, Kailua, Hawaiʻi 96734

SENATE COMMITTEE ON WATER AND LAND

Chair Senator Karl Rhoades
Vice-Chair Senator Mike Gabbard
April 17, 2017, 2:45 p.m.
Conference Room 225

**Testimony in Support of GM 795: Nomination of
Kamanamaikalani Beamer, Ph.D., to the Commission on Water Resource Management**

Aloha Chair Rhoades, Vice-Chair Gabbard, and Committee Members:

Mahalo for the opportunity to submit written testimony in support of GM 795, nominating Professor Kamanamaikalani Beamer, Ph.D., to the Commission on Water Resource Management (“Water Commission”). I am a professor at the William S. Richardson School of Law and Director of Ka Huli Ao Center for Excellence in Native Hawaiian Law, but I submit these comments in my personal capacity. I strongly support the nomination of Dr. Beamer. I work closely with Dr. Beamer, am familiar with his qualifications, and am confident that he will continue to be an outstanding member of the Water Commission.

Dr. Beamer, having already served on the Water Commission since 2013, exceeds the State Water Code’s requirement of “substantial experience in the area of water resource management.” Haw. Rev. Stat. § 174C-7(b). Dr. Beamer has significant experience working on water resource management issues on each of the major Hawaiian Islands. His management efforts, particularly at Kamehameha Schools, span numerous types of land and water resources, from managing lands with plantation irrigation systems, spring-fed fishponds, and loʻi kalo. Moreover, he is one of the most highly regarded experts regarding the Māhele, which instituted the current system of private property in Hawaiʻi. Dr. Beamer has written extensively, taught, and presented at symposia and seminars on the Māhele, land tenure, and aloha ʻāina. This expertise has provided a benefit to the Water Commission and its staff given the ongoing process of determining appurtenant water rights, which are closely tied to the origin of title in the Māhele.

Beyond Dr. Beamer’s outstanding professional and academic credentials, he has many years of personal experience farming kalo in Waipiʻo Valley. In addition, his strong grounding and concern for the land, culture, and people of Hawaiʻi have also benefitted the Water Commission. As an academic **and** a cultural practitioner, Dr. Beamer brings a unique voice and a needed cultural perspective to the Commission’s work, especially given the Commission’s constitutional mandate to protect traditional and customary Native Hawaiian rights and practices.

In conclusion, Dr. Beamer has my highest respect and my unconditional recommendation. I hope you will allow him to continue to serve our community. Mahalo for the opportunity to present this testimony in support of GM 795 and the nomination of Dr. Kamanamaikalani Beamer to sit on the Water Commission.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 14, 2017 8:24 AM
To: WTL Testimony
Cc: keoni.lee@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/14/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Keoni Lee	Individual	Support	No

Comments: Aloha kakou, I strongly support Kamana Beamer for reappointment to the State Water Commission. Kamana is an ideal commissioner because he has extensive academic and historical perspectives on land and natural resource use in Hawai'i but also the practical experience as a taro farmer. This extremely unique combination of skills and experience is a truly invaluable asset to have in this critical position that has the kuleana to protect Hawai'i's most precious resource. Ola i ka wai! Keoni Lee Kaimuki, O'ahu

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, April 13, 2017 10:53 PM
To: WTL Testimony
Cc: shaelene@hawaii.edu
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/13/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Shaelene Kamakaala	Individual	Support	No

Comments: I strongly support Dr. Beamer's reappointment. His background and experiences serve a critical role to ensure CWRM's decisions are informed by and align with the State's affirmative obligations to the public trust resources and Native Hawaiian rights. In the long run, this kind of expertise will help steer Hawai'i in a direction to restore health to our natural resources, do good by our communities, while saving the agency from the potential time and costs of litigation. Lets continue to work towards meaningful solutions together. Mahalo for the opportunity to testify.

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From: mailinglist@capitol.hawaii.gov
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To: WTL Testimony
Cc: tampaltin@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/17/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tamara Paltin	Individual	Support	No

Comments: Aloha I am in strong support of Dr Beamer. Please extend his term, he has done a thoughtful and diligent job in his first term and we are so lucky to have someone with his knowledge and skill set serving on the commission. Please approve his nomination for a second term so that he can continue to safeguard the public trust!
Mahalo Tamara Paltin

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 17, 2017 9:37 AM
To: WTL Testimony
Cc: gkvierra@gmail.com
Subject: Submitted testimony for GM795 on Apr 17, 2017 14:45PM

GM795

Submitted on: 4/17/2017

Testimony for WTL on Apr 17, 2017 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
George Vierra	Individual	Support	No

Comments: My name is George Vierra, I live in Napili and I am in strong support of Kamanamaikalani Beamer serving a second term on the State's Commission on Water Resources Management. Dr. Beamer has a strong sense of what it takes to be on this commission, he understands water is a public trust and he has lived through the history of Water in Hawaii. Please extend his term! Malama George Vierra

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April 4, 2012

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

RE: GM795, Strong Support for the Nomination of Kamana Beamer to the Commission on Water Resource Management (CWRM)

Aloha Chair Rhoads, Vice Chair Gabbard, 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 over 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. I am submitting this testimony as an individual.

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 know that nominees understand why the CWRM has so often been overturned by the courts.

Kamana Beamer, one of the two nominees to CWRM before you today, clearly meets these two tests, and he exceeds nearly every other Commissioner I have seen in his understanding of the Code and its implementation. **I would strongly encourage you to ask all of your nominees to CWRM detailed questions about how the Code operates and the duties of a Commissioner. This will help you establish for yourself how very qualified Dr. Beamer is to continue to serve in this role.**

Mahalo for your consideration of my mana`o.

Jonathan Likeke Scheuer, Ph.D.

4/16/17

Members of the Water and Land Committee,

I strongly support the appointment of Dr. Kamana Beamer (GM795) to a second term on the State Water Commission (CWRM).

His background in culture, law, history, practice, and governance makes him specially suited for this role. He brings a calm clear approach to the often contentious problems before the Commission. When the testimony is hot, he directs the inquiry through a different lens with a patience that brings the conversation back to a common ground.

He is able to do this because of who he is, how he conducts himself, and out of respect for each person. He bridges world views through an indispensable perspective grounded in knowledge of Hawaii, of people, and of our common needs.

Dr. Beamer brings a high sense of integrity and purpose to his efforts. He recognizes the historical significance of the Commission's work and never places parochial interests above the public good.

Therefore, I strongly support Dr. Kamana Beamer's appointment to the Water Commission for a second term without reservation.

Thank you.
William M. Tam