

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
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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

Wednesday, May 13, 2020
1:00 PM
State Capitol, Conference Room 229

In consideration of
GOVERNOR'S MESSAGE 586
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE
COMMISSION ON WATER RESOURCE MANAGEMENT, GUBERNATORIAL
NOMINEE, MICHAEL BUCK, FOR A TERM TO EXPIRE 6-30-2023

The Department of Land and Natural Resources (Department) supports the Governor's nomination (Governor's Message 586) of Mr. Michael Buck to serve on the Commission on Water Resource Management (Commission) for a term to expire 6-30-2023.

Hawai'i Revised Statutes (HRS) §174C-7(d) provides that an independent nominating committee composed of two (2) members selected by the Governor, one (1) by the Senate President, and one (1) by the Speaker of the House of Representatives solicits applications by public notices published in newspapers statewide, in the Commission's monthly bulletin, and on the Commission's website. The Nominating Committee reviews applications and sends the names of at least three qualified individuals for each opening to the Governor for consideration.

HRS §174C-7(b) provides that Commission members must have "substantial experience in the area of water resource management." In addition, one member must "have substantial experience or expertise in traditional Hawaiian water resource management techniques and in traditional Hawaiian riparian usage such as those preserved by" HRS §174C-101.

Following this nominating process, the Governor selected Mr. Michael Buck.

Mr. Buck began his career as a Resource Survey Forester in the Department's Division of Forestry and Wildlife (DOFAW). After ten years, he was promoted to Natural Area Reserves

Coordinator, then two years later to the Division's top administrator post. Mr. Buck served a total of 27 years in public service at DOFAW managing Hawai'i's priority forested watersheds and advocating for forest stewardship and recovery. His many accomplishments at DOFAW include drafting and leading multi-constituent support for the passage of major legislation at both the federal and state levels, including the Federal Hawai'i Tropical Forest Recovery Act and the State Forest Stewardship Act, Natural Area Partnership Program, Endangered Species Recovery Act, and Invasive Species Council. Mr. Buck also provided a leadership role in establishing Hawai'i's Watershed Partnership Program.

Other relevant and notable positions held by Mr. Buck include Chair of the Council of Western State Foresters, Board member of the Western Forest Leadership Coalition, member of the Federal Invasive Species Advisory Committee, current Board member and Vice President for Investments of the National Association of State Foresters Foundation, and current Co-Chair of the National Roundtable on Sustainable Forests. In recognition of his significant contributions and knowledge in the field of forest management, Mr. Buck was a four-time member of the United States delegation at the United Nations Forum on Forests.

He received his Bachelor of Science degree in Resource Management from the School of Environmental Sciences and Forestry, State University of New York, Syracuse and subsequently obtained a Master of Science degree in Forest Resources Conservation / Certificate of Tropical Agriculture from the Institute of Food and Agricultural Sciences, University of Florida.

Mr. Buck currently serves the community in a variety of roles including: President, Waimānalo Market Co-op Board of Directors; Council Member, Hawai'i Fresh Water Council; and Board Member, Mālama Honua Charter School. Mr. Buck is also a farmer in Waimānalo on the Island of O'ahu.

Mr. Buck is also a current member of the Commission on Water Resource Management. He brings to the Commission a valuable watershed perspective and many skills including innovative and proactive leadership, facilitation and conflict resolution, natural resource policy development, and knowledge in a diverse range of natural resource fields such as wildlife and watershed management, outdoor recreation, commercial forestry, invasive species, and conservation biology.

During his tenure as a Commissioner, Mr. Buck presided over the resolution of key issues in West Hawai'i between the County of Hawai'i and the National Park Service, oversaw a landmark mediation process for a Waimea River waste complaint, and helped to bring closure to contested cases over petitions to restore stream flow in Maui streams.

The Department supports Mr. Michael Buck's nomination and reappointment to the Commission on Water Resource Management.



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Leimana DaMate, Executive Director

Before the Senate Committee on
Water and Land

Wednesday, May 13, 2020
1:00 P.M.
State Capitol, Conference Room 229

In **SUPPORT** of
GM 586, Michael Buck
Relating to the Commission on Water Resource Management

The Hawaii State Aha Moku Advisory Committee (AMAC) stands in support of gubernatorial nominee, GM Michael Buck for consideration and confirmation to the Commission on Water Resource Management, for a term to expire on June 30, 2023.

Mr. Buck's extensive experience and expertise in sustainable forestry, watersheds and conservation makes him an asset to a Board that is mandated to uphold the Hawaii State Water Code, a Code that guides the proper and fair usage of water in Hawaii.

Thank you for the opportunity to testify on this measure. We ask that you approve the nomination of Michael Buck to the Commission on Water Resource Management.

Respectfully yours,

Leimana DaMate, Executive Director
Hawaii State Aha Moku
Phone: 808-640-1214
Email: Leimana.k.damate@hawaii.gov

LATE



GM586

**SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION ON WATER
RESOURCE MANAGEMENT, GUBERNATORIAL NOMINEE, MICHAEL BUCK, FOR A TERM TO
EXPIRE 6-30-2023**

Senate Committee on Water and Land

May 13, 2020

1:00 p.m.

Room 229

The Administration of the Office of Hawaiian Affairs (OHA) will recommend that the Board of Trustees **SUPPORT** GM586, which would continue Michael Buck's role as a Commissioner on the Commission on Water Resource Management (CWRM).

First, OHA expresses its appreciation for Mr. Buck's demonstrated expertise in forestry and watershed management, which has been and will continue to be vital to upholding the public trust in our water resources. OHA notes that the expertise and perspective that Mr. Buck holds in this regard may be critical to CWRM's ongoing work, particularly in the current era of climate change.

Second, OHA also expresses a great appreciation for Mr. Buck's demonstrated understanding of and empathy for Native Hawaiian rights, concerns, and interests in water. His thoughtful decisionmaking and participation in CWRM discussions have reflected a sincere desire to ensure that our water resources are managed and allocated properly, in balance with multiple and sometimes competing interests, but nonetheless consistent with the constitutional and fiduciary obligations of the State with respect to Native Hawaiian rights and the public trust. This is further exemplified in historic and unprecedented actions taken by CWRM during his tenure, and with his support. For example, Mr. Buck supported the first-ever CWRM-initiated update to interim instream flow standards (IIFS) for streams in West Maui, including the rejection of a late contested case request by gentlemen farm subdivision representatives; played a lead role in CWRM's D&O updating interim instream flow standards for East Maui – which was a historic decision restoring full undiverted flow to the major taro streams and restoring additional flow to the remaining streams covered under the kalo farmers' IIFS update petition; and rejected a misguided attempt by CWRM staff to impose thousands of dollars of fines against kalo farmers in Nā Wai 'Ehā based on an "insubstantial" modification of stream flow, and instead supported the establishment of an expedited permitting process for kalo farmers.

Finally, OHA notes that Mr. Buck has also been extensively briefed on water waste complaints and IIFS noncompliance issues, including in Nā Wai 'Ehā, and therefore has an

established understanding of the substantial community concerns regarding these ongoing matters.

OHA accordingly believes that Mr. Buck's continued membership on CWRM will provide it with the expertise, thoughtfulness, and institutional memory it needs to be a responsible, prudent, and righteous steward of our islands' most precious resource. Therefore, OHA respectfully urges the Committee to **PASS** GM586.

Mahalo nui for the opportunity to testify on this matter.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
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May 13, 2020

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ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer *WJ*

The Honorable Kaiali'i Kahele, Chair
and Members
Committee on Water and Land
State Senate
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

Dear Chair Kahele and Members:


Subject: Governor's Message No. 586: Submitting for Consideration and Confirmation of Michael Buck to the State Commission on Water Resource Management for a term to expire June 30, 2023

The Board of Water Supply (BWS) supports Governor's Message No. 586 on the confirmation of Mr. Michael Buck to the State Commission on Water Resource Management (CWRM).

The BWS had the opportunity to work with Mr. Buck on watershed protection, forestry and water planning over many years. Mr. Buck is also a member of the Freshwater Council that developed the Freshwater Blueprint identifying 100 million gallons a day of resilient water supply to 2030 through watershed management, water conservation and reuse. Mr. Buck's water dedication, experience and leadership has advanced water resource management in the State. Reappointment of Mr. Buck will ensure the State's natural resources will be protected and managed.

Thank you for the opportunity to testify in support of Mr. Michael Buck's nomination to continue to serve on the CWRM.

Very truly yours,


ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

GM-586

Submitted on: 5/12/2020 12:59:27 PM

Testimony for WTL on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Summer Sylva	Testifying for Native Hawaiian Legal Corporation	Support	No

Comments:

Aloha e Chair Kahele, Vice-Chair Keith-Agaran and Members of the Committee on Water and Land:

Native Hawaiian Legal Corporation supports Michael Buck's confirmation to the Commission on Water Resource Management for a term to expire 06-30-2023. Mr. Buck has served the community well as a member on the Commission, by ably, fairly, and prudently discharging his duty as a commissioner "to protect and manage the waters of the State of Hawai'i for present and future generations." His decision-making reflects thoughtful adherence and fidelity to the principle that "the waters of the State are held in trust for the benefits of the citizens of the State."

The public interest is best served when our Commissioners understand and take seriously their role as the primary guardian of our public trust resources, and take the affirmative steps necessary to faithfully discharge the public trust duties entrusted them. Mr. Buck's confirmation to the Commission would serve that purpose well.

For all the above reasons, NHLC supports this confirmation. Mahalo for your time and consideration,

Summer Sylva, NHLC Executive Director

Chair Kaiali'i Kahele
Vice Chair Gilbert S. C. Keith-Agaran
Members of the Water and Land Committee

I am testifying in favor the confirmation of Michael Buck to the Commission on Water Resource Management, GM 586.

Mr. Buck has a long and impressive career in the field natural resource amangement. In particular, he has been a direct manager of resources as a leader in Depaertment of Land and Natural Resources, and as a trustee of those resources as a member of the Water Commission. In all of these years he dispalyed great integrity and an abiding respect for the Constituion and laws he is exxecuting.

Mr. Buck is a thoughtful and visionary individual. He understands the balances that must be made between Native Hawaiian rights, the natural environment, and legitimate uses such as drinking water and agriculture to feed our people. We need to take the long view, the view that recognizes our responsibility to the generations to come, and he has continually demonstrated his capacity and commitment to do exactly that

I had the opportunity to work directly with him on the mediation involviing the waters of the Waimea area on the island of Kauai. His remarks and his areas of interest in the case showed e deep understandng of the kinds of balances that need to be made and of the long term impacts of the decisions we make today.. He was a signifcant part of a very important decision and outcome.

Michael Buck has been an important asset to the Commission on Water Resource Managment, and I urge his confirmation for a second term on the Commission.

Robbie Alm
165 Waoknanka Place
Honolulu, Hawaii

Testimony of
WILLIAM M. TAM

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

**Wednesday, May 13, 2020 (1:00 pm)
State Capitol, Conference Room 229**

In consideration of
GOVERNOR'S MESSAGE 586 (MICHAEL BUCK)

**RELATING TO CONFIRMATION OF GUBERNATORIAL NOMINEE
MICHAEL BUCK TO THE COMMISSION ON WATER RESOURCE MANAGEMENT
FOR A SECOND TERM TO EXPIRE 06-30-2023**

I am writing as an individual to STRONGLY SUPPORT the appointment of Michael Buck to the Commission on Water Resource Management for a second term (to expire June 30, 2023).

Mike has spent his adult life actively managing and protecting Hawaii's forests and watersheds first in DLNR's Forestry Division, then in national forestry organizations, and most recently on the Hawaii Water Commission. He brings remarkable historical and institutional knowledge, a keen sense of detail, and a recognition that people with differing perspectives must find a way to work together. His approach is to investigate the facts, the science, the cultural context, and the legal obligations. He makes it a point to talk with the people who may be affected by an action and then structure a resolution with step by step remedies and feedback. He is thoughtful, measured, balanced, and considerate.

Mike's long working experience in DLNR and State government allows him to find practical solutions that have a good chance of being implemented without triggering new problems or imposing significant barriers. His long-term perspective is critical in natural resource decision-making.

I recommend and *strongly support without reservation* Mr. Mike Buck's confirmation to the Commission on Water Resource Management for a second term.

Thank you.

William M. Tam

LATE

GM-586

Submitted on: 5/13/2020 11:52:35 AM
Testimony for WTL on 5/13/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Julie Leialoha	Individual	Support	No

Comments: