

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

**FEBRUARY 20, 2020
1:00 P.M.
CONFERENCE ROOM 211**

**SENATE BILL NO. 2099, SD1
RELATING TO IRRIGATION**

Chairperson Dela Cruz and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2099. This measure transfers operational authority over portions of the East Kauai Irrigation System to the Department of Agriculture, establishes positions, and makes an appropriation. It also provides a conditional extension to acquire required permits. The Department supports this measure provided it does not impact the priorities listed in the Executive Budget.

This bill provides much needed support for a system that has been operated and maintained by volunteer farmers in East Kauai for many years. The need for continued irrigation access for farmers in the region is of utmost importance and directly supports the State's goal to double local food production.

Thank you for the opportunity to testify on this measure.



DAVID Y. IGE
GOVERNOR OF HAWAII



**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
WAYS AND MEANS**

**Thursday, February 20, 2020
1:00PM
State Capitol, Conference Room 211**

**In consideration of
SENATE BILL 2099, SENATE DRAFT 1
RELATING TO IRRIGATION**

Senate Bill 2099, Senate Draft 1 proposes to transfer to the Department of Agriculture (DOA) operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of July 1, 2020. The measure also provides a conditional extension to acquire required permits, establishes staffing positions, authorizes general obligation bonds for a statewide irrigation system capital improvement project and appropriates funds. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

The East Kauai Irrigation System, which was formerly under the management of the East Kauai Water Users Cooperative (EKWUC) via a month to month revocable permit. On September 3, 2019, the EKWUC voted against the continuation of their revocable permit which expired on December 31, 2019. The irrigation system, including the reservoir, has since reverted to the Department's management. The Department's current oversight of the irrigation system is focused on addressing public health and safety and preserving the viability of the irrigation system for future use, but not for the continued delivery of water to various users.

Moving forward, the Department's primary objective is to work collaboratively with Kauai legislators to find an appropriate public or private entity that can assume management and operation of the system as had previously been done by EKWUC. The Department believes this measure would satisfy that objective, by ensuring the ongoing operation of the irrigation system by DOA in support of local agriculture. However, if this measure were to not pass and the primary objective cannot be met, the Department will pursue shutdown of the irrigation system, including breaching the reservoirs, as a last resort.

The Department does not have the resources and expertise to function as a water delivery provider. Additionally, this would be inconsistent with the Department's mission of natural, cultural,

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

recreational and historical resource management of protection. A shutdown of the system would be a long-term process with significant planning and studies to determine the impacts of such action, which would include public engagement. Any action to proceed with a system shutdown would be subject to the approval of the Board of Land and Natural Resources in an open, public meeting.

Thank you for the opportunity to comment on this measure.



February 18, 2020

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Comments in Support of SB 2099, S.D.1 Relating to Irrigation (Transfers to the Department of Agriculture [DOA] operational authority over portions of the East Kauai Irrigation System as of 07/01/2020; provides conditional extension to acquire required permits; establishes staffing positions; authorizes general obligation bonds for a statewide irrigation system capital improvement project; appropriates funds.)

Thursday, February 20, 2020, 1:00 p.m., in Conference Room 211

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and utility companies. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of SB 2099, S.D.1**, and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture, including important agricultural lands (IAL) in Hawaii.

SB 2099, S.D.1. This bill proposes to transfer portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 07/01/2020, to the DOA. The measure also provides a conditional extension to acquire required permits; establishes staffing positions; and authorizes general obligation bonds for the purpose of assisting the agricultural resource management division with plans, designs, land acquisition, and equipment to increase irrigation system capacity statewide.

LURF's Position. The East Kauai irrigation system is one of the several irrigation systems throughout the state which are essential to Hawaii's agricultural industry. With large amounts of prime agricultural lands and irrigation systems made available for conversion to diversified agriculture as a result of the

plantation closures in the 1990s, the State presently has an opportunity to strengthen and expand Hawaii's diversified agriculture industry. Agricultural lands, however, require significant quantities of water to support and maintain productivity. In order to ensure that local agricultural producers may continue to receive a dependable supply of water for crops, as well as research and development operations, sufficient funding is necessary to improve, repair and maintain Hawaii's irrigation systems.

Local farmers and ranchers who rely on irrigation systems to service their agricultural lands consider such resources critical to conduct their agricultural operations and to sustain their businesses. These agricultural stakeholders believe measures such as SB 2099, S.D.1 will greatly assist by providing funding and support necessary to make improvements to irrigation systems for the long-term betterment of the State's agricultural industry, and are relying on legislation such as this to help them work toward the expansion of diversified agriculture; promote the agricultural self-sufficiency of the State; and to protect water as an important resource.

For the above reasons, LURF **supports SB 2099, S.D.1**, and respectfully urges your favorable consideration.

Thank you for the opportunity to provide comments in support of this matter.



Email: communications@ulupono.com

SENATE COMMITTEE ON WAYS & MEANS
Thursday, February 20, 2020 — 1:00 p.m. — Room 211

Ulupono Initiative supports SB 2099 SD 1, Relating to Irrigation.

Dear Chair Dela Cruz and Members of the Committee:

My name is Amy Hennessey, and I am the Senior Vice President of Communications & External Affairs at Ulupono Initiative. We are a Hawai'i-based impact investment firm that strives to improve our community's quality of life by creating more locally produced food; increasing affordable clean renewable energy and transportation options; and better managing waste and fresh water resources.

Ulupono supports SB 2099 SD 1, which transfers to the Department of Agriculture operational authority over portions of the East Kaua'i Irrigation System that is operated and maintained by the East Kaua'i Water Users' Cooperative.

Ulupono supports the affordable access to water resources for local food producers across the State. The East Kaua'i Irrigation System is critical for local farmers on the island and directly supports Hawai'i's food production goals. Without access to water, agriculture does not exist. It is important for the State to support the operation and maintenance of irrigation systems statewide in order to meet Hawai'i's food security and sustainability goals.

Thank you for this opportunity to testify.

Respectfully,

Amy Hennessey, APR
Senior Vice President, Communications & External Affairs

Investing in a Sustainable Hawai'i



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 20, 2020

HEARING BEFORE THE
SENATE COMMITTEE ON WAYS AND MEANS

TESTIMONY ON SB 2099, SD1
RELATING TO IRRIGATION

Room 211
1:00 PM

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau strongly supports SB 2099, SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020. SB 2099, SD1 also provides a conditional extension to acquire required permits, establishes staffing positions, and authorizes general obligation bonds for a statewide irrigation system capital improvement project.

Since the demise of plantation operations across the islands, we have seen the erosion of irrigation systems. Ditches that carried water fell into disrepair with major leaks in the system, and in cases such as Ka'u, cracks in tunnels created enough losses that there is no longer a significant flow of water. The Legislature continues to advocate for increased self-sufficiency and sustainability. Agriculture must play a key role in the process and for there to be agriculture, water is important.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation system is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for this opportunity to testify on this important matter.

From: [Alvin Tsuruda](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:00:14 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Alvin Tsuruda
Owner
Waihale Products
41-910 Mahiku Pl
Waimanalo, HI 96795
waihale@hawaiiantel.net

From: [Alan Gottlieb](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:40:06 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Alan Gottlieb
Vice President
Ponoholo Ranch
PO Box 700489
Kapolei, HI 96709
alan@prloffice.com

From: [John Giblin](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 9:00:13 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

John Giblin
owner
Ohana Farm Orchards
87-2814 Mamalahoa Hwy
Captain Cook, HI 96704
jgiblinjr@aol.com

From: [James Gomes](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 9:10:05 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

James Gomes
Operation Manager
Ulupalakua Ranch
8640 Kula Hwy
Kula, HI 96790
jag@urmaui.com

From: [GLENN TOYAMA](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:50:05 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

GLENN TOYAMA
ALL
HAWAIIAN FLOWER GARDENS
PO Box 5
Mountain View, HI 96771
gtoyama67@gmail.com

From: [Philippe Visintainer](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 9:30:08 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Philippe Visintainer
Member
HCP
7600 Hana Hwy
Haiku, HI 96708
philippe@coconutprotectors.com

SB-2099-SD-1

Submitted on: 2/19/2020 4:01:36 PM

Testimony for WAM on 2/20/2020 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Testifying for Maui County Farm Bureau	Support	No

Comments:

From: [Stephanie whalen](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 11:50:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stephanie whalen
VP
KVTHC
PO Box 64
Kunia, HI 96759
whaleinn1944@gmail.com

From: [Greg Askew](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 12:50:05 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Greg Askew
Ono Pop's Kauai
Ono Pop's Kauai
PO Box 435
Kalaheo, HI 96741
GregAskew2@gmail.com

From: [Robert Bartolo](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 12:50:08 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Robert Bartolo
Pres
Kulana Kokoleka Farm
5060 Nonou Rd
Kapaa, HI 96746
bobbartolo43@gmail.com

From: [Mark Phillipson](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 4:40:05 PM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

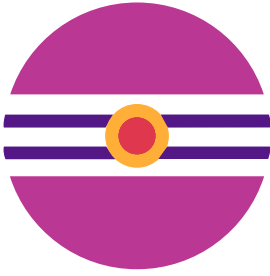
The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mark Phillipson
Principal
Pacific Ag Consultants
2801 Coconut Ave Apt 4E
Honolulu, HI 96815
reelrelaxed@gmail.com



Saiva Siddhanta Church

Kauai's Hindu Monastery
107 Kaholalele Road
Kapaa, Hawaii 96746-9304•USA
Phone: (808) 822-3012

LATE

February 20, 2020

Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Testimony on SB2099, Relating to Irrigation Thursday, February 20, Conference Room 211

Chairperson Dela Cruz and Members of the Committee:

We **strongly support SB2099**. The East Kauai Irrigation System, specifically Wailua Reservoir, is vital to our Church in Wailua Homesteads. The system has serviced our property via Lateral One Ditch for the past 100 years. It continues to be used to water our monastery gardens and dairy cows, as well as create wetland habitats within the property and marvelous scenic ponds immediately next to our nearly finished Iraivan Hindu Temple, a popular religious site for tens of thousands of Hindus visiting the island each year. Their appreciation for the monastery and temple with its charming waterfalls, ponds, wildlife and lush tropical landscaping brings a significant and growing income to the island.

Leaving aside the vital importance of the water for our property, our neighbors have been alarmed by the threat issued by the Department of Land and Natural Resources (see their press release of January 24, 2020, attached) to demolish the reservoir should, effectively speaking, SB2099 not pass. Wailua Reservoir is an important public community asset, a public fishing area, a wildlife preserve and nesting place for native birds and bats. It is inconceivable to us that the State would throw away such a resource, especially one they've spent millions of dollars on over the last ten years upgrading to meet dam safety regulations.

The East Kauai Water Users Cooperative, in which we have had an active part, was formed to manage the system—which is almost entirely owned by the State—on an interim basis after the departure of the plantation. We did so diligently for 18 years, but saw no progress on the State's part to take over the system management. With the failure of SB223 last year, the Coop regretfully but rightly decided to withdraw from management and let the system revert to DLNR, the owners.

At the end of the session last year, we heard second-hand that SB223 failed because some legislators thought it involved purchasing the system from private

owners rather than taking over management of a system—valued 18 years ago at over \$200 million—that was already the State’s property.

We plead with the legislature to not carry that misunderstanding over to this session. Wailua Reservoir, Upper Kapahi, nearly all the ditches in East Kauai as well as the system servicing the Kalepa area under the Agribusiness Development Corporation, are the State’s property. They are vital to the future of agriculture in East Kauai. Without it, farming will not only be impossible in the future, presently active farmers will be put out of business. DHHL lands will be deprived of water they are presently receiving. Fern Grotto, one of the island’s most popular tourist destinations, will suffer greatly. Reservoir 21, immediately on top of the grotto, is filled by this system and when it dries up, the ferns below it die.

We note that SB2099 provides for a period of study to evaluate such a transition. A closely related study, The Agricultural Water Use and Development Plan, was completed in 2003 and of a list of five systems in the State recommended for take over by the Department of Agriculture, the East Kauai system was number one.

We respectfully request that this bill be passed.

A handwritten signature in black ink, reading "Sadasivanatha Palaniswami". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Sadasivanatha Palaniswami
Vice-President, Saiva Siddhanta Church



Making Hawai'i a Great Place to Live!
 Department of Land and Natural Resources

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01/24/20-CLEARING UP MISINFORMATION ABOUT THE STATUS OF KAUA'I'S WAILUA RESERVOIR

Posted on Jan 24, 2020 in [Land](#), [Main](#), [Media](#), [News Releases](#), [slider](#)

DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

DAVID Y. IGE
 GOVERNOR

SUZANNE D. CASE
 CHAIRPERSON

For Immediate News Release January 24, 2020

CLEARING UP MISINFORMATION ABOUT THE STATUS OF KAUA'I'S WAILUA RESERVOIR



(Honolulu) – People have expressed concerns about the future of the Wailua Reservoir, which is part of the East Kaua'i Irrigation System. Prior to Dec. 31, 2019, the reservoir was under the management of the East Kaua'i Water Users Cooperative (EKWUC) operating under a DLNR revocable permit. The EKWUC voted against continuation of the RP on Sept. 3rd last year, which resulted in the year-end expiration of the permit.

The irrigation system has now reverted to DLNR's management with current oversight focused on public health and safety and preserving the viability of the system for future use. This does not include continued delivery of water to various users. DLNR's current primary objective is to work collaboratively with Kaua'i legislators to try and find an appropriate public or private entity to assume management and operation of the system.

As a last resort, if a new operator can't be identified, DLNR will pursue shutting down the system, including breaching the reservoir. The department does not have the resources and expertise to act as a water delivery provider. Additionally, operation by DLNR, would be inconsistent with the department's mission of protection and management of natural, cultural, recreational and historical resources.

Shutting down the system would be a long-term process, only after significant studies and planning to determine possible impacts. Any shut-down will include engagement from the community and would be subject to approval by the Board of Land and Natural Resources in an open meeting.

#

Media Contact:

Dan Dennison
Senior Communications Manager
(808) 587-0396
DLNR.comms@hawaii.gov



Kalepa Koalition

4334 Rice Street, Suite 202
Lihue, HI 96766
Phone: 808-634-6189

February 20, 2020

TO: Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

**RE: Testimony on SB2099, Relating to Irrigation
Thursday, February 20, Conference Room 211**

Chairperson Dela Cruz and Members of the Committee:

We **strongly support SB2099**. The Kalepa Koalition is a Hawaii agricultural cooperative of the farmers and ranchers who hold long-term licenses on 6,500 acres of State land behind Kalepa Ridge on Kauai and under the administration of the State's Agribusiness Development Corporation (ADC).

The East Kauai Water Irrigation System presently services more than 300 acres of these lands actively in crops and can potentially service 1,000. In addition, it services hundreds of acres of DHHL lands makai of Kalepa Ridge and fills Reservoir 21, which sits on top of the popular tourist destination of Fern Grotto in Wailua River State Park and is essential to the health of its ferns.

As of January 1, 2020, the Revocable Permit (RP) of the East Kauai Water Users Cooperative lapsed on the system. As of this date, there has been no RP or Right of Entry issued for this section, and the system is under DLNR control.

If the system is shut off, not only will farmers be put out of business, Fern Grotto will suffer greatly as the ferns die off (as they did when the reservoir dried up in 2001) and the DHHL lands will need to find another source of water.

Either DLNR itself, ADC or the Department of Agriculture (as proposed by this bill) must take over and run this system.

We respectfully request that this bill be passed.

Handwritten signature of Laurie K. Ho in blue ink.

Laurie K. Ho, President
Kalepa Koalition

Handwritten signature of Leslie P. Milnes in blue ink.

Leslie P. Milnes, Vice-President
Kalepa Koalition

From: [Luly Unemori](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:00:13 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Luly Unemori
530 Hiilei Pl
Wailuku, HI 96793
lunemori@kohakuriver.com

From: [John Gordines](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:30:08 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

John Gordines
6721 Kawaihau Rd
Kapaa, HI 96746
gordines@kauaiflowers.com

From: [Susan Cabral](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:40:10 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Susan Cabral
PO Box 337
Volcano, HI 96785
s.kronecabral@gmail.com

From: [Mary Offley](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 10:00:13 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Mary Offley
6781 Kawaihau Rd
Kapaa, HI 96746
kathy808kauai@gmail.com

From: [Carolynn Lum](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 11:20:08 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Carolynn Lum
2746 Apapane St
Lihue, HI 96766
hawaii96766@yahoo.com

SB-2099-SD-1

Submitted on: 2/19/2020 11:43:40 AM

Testimony for WAM on 2/20/2020 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
J Ashman	Individual	Support	No

Comments:

Please support local agriculture by passing this bill. It would be a travesty if the farmers of East Kauai were deprived of irrigation water because we were unable to figure out how to continue to manage the system, now that the East Kauai Water Users Cooperative has finally given up because it can no longer continue its 18 years of service in the face of huge legal uncertainties and costs.

DLNR has testified that it will pursue shutdown of the irrigation system, including breaching the reservoirs, if this measure is not passed. This sad state of affairs does not bode well for our State's goal to increase food self-sufficiency.

Please support this bill. Thank you.

From: [Diane Chuensanguansat](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:40:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Diane Chuensanguansat
PO Box 860898
Wahiawa, HI 96786
dina@hawaii.rr.com

From: [Megan Kono](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 8:50:06 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Megan Kono
2333 Kapiolani Blvd Apt 3102
Honolulu, HI 96826
megankono808@gmail.com

From: [Frederick Mencher](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 10:50:07 AM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Frederick Mencher
2029 Nuuanu Ave Apt 1510
Honolulu, HI 96817
frederickmencher@gmail.com

From: [Randy Cabral](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 12:10:07 PM

Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Randy Cabral
PO BOX 337
VOLCANO, HI 96785
kaiwiki.1970@gmail.com

From: [Mr. & Mrs. Stephen Takamiyashiro](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Wednesday, February 19, 2020 2:00:06 PM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

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Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

Stephen Takamiyashiro
1518 Paula Dr
Honolulu, HI 96816
pamtaka14@gmail.com

From: [donald sommer](#)
To: [WAM Testimony](#)
Subject: I support SB2099 SD1
Date: Thursday, February 20, 2020 4:20:06 AM



Dear Chairman Dela Cruz,

Aloha Chair Dela Cruz, Vice-Chair Keith-Agara, and members of the committee,

I support SB2099 SD1, which transfers to the Department of Agriculture operational authority over portions of the East Kauai Irrigation System operated and maintained by the East Kauai Water Users' Cooperative as of 7/1/2020.

The East Kauai Irrigation System services more than 12,500 acres of agricultural land on Kauai. The repair and maintenance of this 21-mile irrigation systems is critical for Kauai's farmers who depend on the East Kauai Irrigation System for their operations. Water availability is a basic necessity needed by farmers and ranchers to maintain and expand their production, particularly in times of drought. Having a reliable water supply is a key factor when Hawaii's farmers and ranchers are making decisions to start new or to expand existing operations.

Thank you for the opportunity to submit testimony.

Mahalo!

Sincerely,

donald sommer
5453 New Grange Garth
Columbia, MD 21045
desommer@yahoo.com