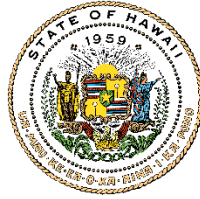


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

**Testimony of
DAWN N. S. CHANG
Chairperson**

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

**April 14, 2023
1:00 PM**

State Capitol, Conference Room 229 & Videoconference

**In consideration of
GOVERNOR'S MESSAGE 660
SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION ON
WATER RESOURCE MANAGEMENT, GUBERNATORIAL NOMINEE, LAWRENCE
MIKE, FOR A TERM TO EXPIRE JUNE 30, 2027**

The Department of Land and Natural Resources (Department) strongly supports the Governor's appointment of Dr. Lawrence H. Miike to serve on the Commission on Water Resource Management (Commission) for a term to expire June 30, 2027.

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 members selected by the Governor, one by the Senate President and one 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, and sends 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 and careful consideration of the nominees' qualifications, Governor Josh Green selected Dr. Lawrence H. Miike, M.D., J.D.

Dr. Miike is highly qualified for this appointment and served as an ex-officio member of the Commission from 1994 to 1998 while he held the post of State of Hawai'i Director of Health. He retired from this position at the end of 1998. Dr. Miike once again served as a member of the Commission from 2004 through 2012 as the commissioner having "substantial experience or expertise in traditional Hawaiian water resource management techniques and in traditional Hawaiian riparian usage such as those preserved by section 174C-101 (of the State Water Code)."

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
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

Dr. Miike was a member of the Commission when it issued its Waiāhole Ditch decision in 1995 and served dutifully as the hearings officer for both remands from the Hawai‘i Supreme Court. He also served as the hearings officer when the Commission issued its Nā Wai ‘Ehā, Maui, decision in 2010 and participated in the Commission’s 2010 decision on 27 East Maui streams diverted by the East Maui Irrigation Company. Opining on these two Maui decisions, Dr. Miike relied on his keen knowledge of Hawai‘i water law, expertise in water resource management, and experience with complex water issues, and was the lone dissenting member on the Commission. His insights and prescience were validated when the Hawai‘i Supreme Court and Hawai‘i Intermediate Court of Appeals, respectively, remanded these Maui decisions back to the Commission.

Dr. Miike’s educational and professional experiences weave together perspectives of both public and environmental health that will add value and insights into the existing Commission’s set of expertise on water.

Dr. Miike is an accomplished author who penned the treatise *Water and the Law in Hawai‘i* (University of Hawai‘i Press, 2004) and co-authored *Dichotomies of the Mind: A Systems Science Model of the Mind and Personality* (John Wiley & Sons, Inc. 1984), updated in 2007 as *Personality Types: A Systems Science Explanation*. Dr. Miike also authored numerous publications on wide-ranging health policy issues.

Dr. Miike is married and resides in Kāne‘ohe, O‘ahu. His ‘ohana includes three married stepsons, their spouses, and six grandchildren.

The Department strongly supports the nomination and appointment of Dr. Lawrence H. Miike to the Commission on Water Resource Management.

Mahalo for the opportunity to comment on this measure.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com



April 14, 2023

RICK BLANGIARDI, MAYOR

BRYAN P. ANDAYA, Chair
KAPUA SPROAT, Vice Chair
MAX J. SWORD
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JONATHAN KANESHIRO

DAWN B. SZEWCZYK, P.E., Ex-Officio
EDWIN H. SNIFFEN, Ex-Officio

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

ERWIN M. KAWATA
Deputy Manager

The Honorable Lorraine R. Inouye, Chair
and Members
Senate Committee on Water and Land
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

Dear Chair Inouye and Members:

Subject: GM 660: Confirming the Nomination of Lawrence Miike to Serve as a Member of the Commission on Water Resource Management

The Board of Water Supply (BWS) supports the nomination of Lawrence Miike, M.D., J.D., to serve as a member of the State Commission on Water Resource Management (CWRM).

Mr. Lawrence Miike, MD, has served in both the state and federal government sector. Mr. Miike has extensive knowledge and experience in government operations and administrative matters gained from serving as a former member of the CWRM from 1994 to 1998, as Director of the State Department of Health, and the federal National Center for Health Services Research and Development and as a senior associate at the Office of Technology Assessment of the U. S. Congress. Mr. Miike authored numerous publications, including *Water and the Law in Hawai'i*.

I respectfully request members of the Senate Committee on Water and Land vote favorably on his nomination and advancing GM 660 for full Senate confirmation.

Thank you for the opportunity to testify in support of Mr. Lawrence Miike's nomination to serve as a member of CWRM.

Very truly yours,

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



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND

April 14, 2023

1:00 PM

CCR229

In **SUPPORT** of **GM660**

Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, Lawrence Miike, for a term to expire 6-30-2027.

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Water and Land,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i offers the following testimony in **SUPPORT** of the nomination of Lawrence Miike to the Commission on Water Resource Management ("CWRM").

Through his career of service to CWRM, including serving many years as a commissioner and later as a hearings officer in some of the most complex water cases that have come before the Commission, Mr. Miike has developed a deep and intimate familiarity with the myriad laws and considerations that inform water management in Hawai'i. Such familiarity, and his demonstrated willingness to apply the law in a fair and consistent manner, strongly counsel Mr. Miike's confirmation to the CWRM. Notably, Mr. Miike's decisions and actions seeking to reinforce the understanding of water as a public trust resource have at times flied in the face of substantial political pressure; such willingness to make legally sound yet politically difficult decisions will be key to CWRM's future work – and the future of our islands.

Accordingly, the Sierra Club of Hawai'i respectfully urges the Committee to recommend that the Senate **ADVISE AND CONSENT** to the nomination of Lawrence Miike.

Thank you very much for this opportunity to testify.

GM-660

Submitted on: 4/7/2023 10:42:51 AM

Testimony for WTL on 4/14/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Support	Written Testimony Only

Comments:

In support.

GM-660

Submitted on: 4/12/2023 4:51:49 PM

Testimony for WTL on 4/14/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erik Meade	Individual	Support	Written Testimony Only

Comments:

I strongly support the confirmation of Lawrence Miike to the Commission on Water Resource Management. His experience with water law will be an excellent asset for CWRM to carry out its duty in accordance with the law.

Thank you for this opportunity to testify,

Erik Meade

GM-660

Submitted on: 4/12/2023 6:30:27 PM

Testimony for WTL on 4/14/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Holly Doyle	Individual	Support	Written Testimony Only

Comments:

I support Lawrence Miike's nomination to CWRM and believe he should be confirmed. Thank you.

GM-660

Submitted on: 4/13/2023 4:25:13 PM

Testimony for WTL on 4/14/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roy Hardy	Individual	Support	Written Testimony Only

Comments:

With his substantial experience and knowledge in water and as a former member of the Commission, I wholeheartedly support Lawrence Miike to return to help the Commission carry out its duties under 174C-HRS with objective wisdom.