

LINDA LINGLE
GOVERNOR OF HAWAII



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

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HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committees on
WATER, LAND, & OCEAN RESOURCES
and
AGRICULTURE**

**Friday, February 13, 2009
9:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 241
RELATING TO AGRICULTURE**

House Bill 241 proposes to allow the Soil and Water Conservation Districts (SWCDs) to retain all contributions, moneys, and funds received, in lieu of the requirement that such funds, including unexpended general funds, be deposited to the State General Fund. The Department of Land and Natural Resources (Department) cannot support this measure as the Department is in concert with the provisions of Article VII, Section 11 of the State Constitution and Section 37-41, Hawaii Revised Statutes, which stipulate that any unencumbered appropriation at the close of the fiscal period shall lapse into the General Fund. The Department provides the following comments with regard to other funding sources (eg. grants, contributions) received by the SWCDs.

The SWCD Program is administratively attached to the Department. There are a total of 16 Districts, representing every community on all major islands. The purpose of the SWCD Program is to educate, construct, maintain, and assist in the development of conservation plans to protect soil and water resources. Each SWCD is operated by a 5-member volunteer board. Each of the 16 SWCDs receives \$2,050 per year in state general funds toward their operating expenses through the Department.

Other funds required for each Districts' operation and implementation of projects must be sought in the form of grants from other agencies, such as the various counties, Federal Natural Resources Conservation Service or the State Department of Health. These grants are supervised by the granting agency and are provided for specific purposes. Requiring moneys from these grants to be placed in the State General Fund, subject to another level of control, may hinder the Districts' ability to perform their work in a timely manner.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

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

Hawaii Association of Conservation Districts

Subject: Testimony in Strong Support of HB 241

Good Morning Chairs Ito and Tsuji. My Name is Wes Nohara. I am the Chairman of the West Maui Soil & Water Conservation District and Legislative Committee Chair for the Hawaii Association of Conservation Districts (HACD).

I am here testifying for HACD in strong support of HB 241, which if passed will allow the 16 Soil & Water Conservation Districts of Hawaii to keep its unspent revenues to carry out its district functions.

Currently Chapter 180-16 allows the State to take the Soil & Water Conservation District's contributions, money and funds and place it into the State General Fund. If the State was to do that, in essence the SWCDs would no longer be able to operate.

The SWCDs are empowered through Chapter 180 to act in behalf of the State of Hawaii to develop plans, construct, coordinate and maintain projects, form associations, conduct research and training. Each district has unique community and environmental needs. Most of our directors are knowledgeable land stewards and community members, who volunteer to work closely on their community's conservation issues.

Chapter 180 authorizes DLNR to provide operating funds to districts. Currently each district receives \$2,050 annually as operating funds. In order to operate effectively, districts have sought and received grant funds and in-kind support from County and Federal Government, and private donations. Chapter 180-13 allows districts to generate its own revenues through various means.

Without these additional supporting revenues and in-kind services, many of our districts would not be able to operate or exist. Without these funds and our ability to hold them in reserve, district employees, contractors and vendors who supply our operating materials and services would not get paid timely or not get paid at all.

The current wording in Chapter 180-16 allows the State to take additional revenues and place it into the State General Fund. We ask that you pass HB 241 which will allow districts to keep their revenues to operate and perform district functions.

Thank you for the opportunity to testify.

Wesley Nohara
HACD Legislative Committee Chair

Hawaii Association of Conservation Districts

Subject: **Testimony in Strong Support of HB 241**

Good Morning Chairs Ito and Tsuji. My Name is John Astilla; I am the Conservation Specialist for the 4 Maui Soil & Water Conservation Districts (SWCD).

I would like to testify that I strongly support HB 241. If HB 241 is passed, the 16 Soil & Water Conservation Districts that comprise the Hawaii Association of Conservation Districts (HACD) will be allowed to keep its unspent revenues to carry out its district functions.

Currently, Chapter 180-16 allows the State to take the Soil & Water Conservation District's contributions, money and funds and place it into the State General Fund. The loss of those funds would, in essence, make it impossible for the SWCDs to operate. Without these additional supporting revenues and in-kind services from other agencies and businesses, many of our districts would not be able to operate or exist. Without these funds and our ability to hold them in reserve, district employees, contractors and vendors who supply our operating materials and services would not get paid timely or not get paid at all.

The SWCDs are a subdivision of the State government, empowered through Chapter 180 to act on behalf of the State of Hawaii to develop plans, construct, coordinate and maintain projects, form associations, conduct research and training. Each district has unique community and environmental needs. Most of our directors are knowledgeable land stewards and community members, who volunteer to work closely on their community's conservation issues. There are many examples of Maui SWCD sponsored projects on Maui that have benefited both the environment and community stakeholders. For example, many of the sediments basins implemented in West Maui were a direct result of SWCD involvement. West Maui's near shore waters are no longer clouded by sediment all year round.

Chapter 180 authorizes DLNR to provide operating funds to districts. Currently each district receives \$2,360 annually as operating funds. In order to operate effectively, districts have sought and received grant funds and in-kind support from County and Federal Government, and private donations. Chapter 180-13 allows districts to generate its own revenues through various means.

We ask that you pass HB 241 which will allow districts to keep their revenues to operate and perform district functions.

Thank you for the opportunity to testify.

John Astilla
Maui SWCD Conservation Specialist

Subject: Testimony in Support of HB 241

Good Morning Chairs Ito and Tsuji. My Name is John McHugh. I am the Treasurer for the West O`ahu Soil and Water Conservation District.

I am submitting written testimony in support of HB 241 which, if passed, will allow the 16 Soil & Water Conservation Districts of Hawai`i to keep its unspent revenues to carry out its district functions. Currently Chapter 180-16 allows the State to take the Soil & Water Conservation District's contributions, money and funds and place it into the State General Fund. If the State was to do that, in essence the SWCDs would no longer be able to operate.

The SWCDs are empowered through Chapter 180 to act in behalf of the State of Hawai`i to develop plans, construct, coordinate and maintain projects, form associations, conduct research and training. Each district has unique community and environmental needs. Most of our directors are knowledgeable land stewards and community members, who volunteer to work closely on their community's conservation issues.

Chapter 180 authorizes DLNR to provide operating funds to districts. Currently each district receives \$2,360 annually as operating funds. In order to operate effectively, districts have sought and received grant funds and in-kind support from County and Federal Government, and private donations. Chapter 180-13 allows districts to generate its own revenues through various means.

Without these additional supporting revenues and in-kind services, many of our districts would not be able to operate or exist. Without these funds and our ability to hold them in reserve, district employees, contractors and vendors who supply our operating materials and services would not get paid timely or not get paid at all.

The current wording in Chapter 180-16 allows the State to take additional revenues and place it into the State General Fund. We ask that you pass HB 241 which will allow districts to keep their revenues to operate and perform district functions.

Thank you for the opportunity to testify.

John McHugh
Treasurer and Director, West O`ahu Soil and Water Conservation District

Kona Soil and Water Conservation District

Subject: Testimony in Strong Support of HB 241

Good Morning Chairs Ito and Tsuji. My Name is Rick Robinson. I am the Chairman of the Kona Soil & Water Conservation District

This letter is to function as the Kona Soil and Water Conservation District's strong support of HB241 which if passed will allow the 16 Soil & Water Conservation Districts of Hawaii to keep its unspent revenues to carry out its district functions.

Currently Chapter 180-16 allows the State to take the Soil & Water Conservation District's contributions, money and funds and place it into the State General Fund. If the State was to do that, in essence the SWCDs would no longer be able to operate.

Chapter 180 authorizes DLNR to provide operating funds to districts. Currently each district receives \$2,360 annually as operating funds. In order to operate effectively, districts have sought and received grant funds and in-kind support from County and Federal Government, and private donations. Chapter 180-13 allows districts to generate its own revenues through various means.

Without these additional supporting revenues and in-kind services, many of our districts would not be able to operate or exist. Without these funds and our ability to hold them in reserve, district employees, contractors and vendors who supply our operating materials and services would not get paid timely or not get paid at all. Additionally, by allowing us to hold these funds in reserve we can accept greater challenges that impact our farming communities and watersheds and thereby improving the quality of life for the residents of our districts.

I urgently request that you pass HB 241 which will allow districts to keep their revenues to operate and perform district functions. .

Thank you for the opportunity to testify.

Rick Robinson
Kona SWCD Chairperson

Subject: Testimony in Strong Support of HB 241

Good Morning Chairs Ito and Tsuji. My Name is Randy Cabral and I'm a Director of the Ka'u Soil and Water Conservation District.

I strongly support HB 241, which if passed would allow the 16 Soil & Water Conservation Districts to keep its unspent revenues to carry out its mandated functions.

Chapter 180-16 currently allows the State to take the Soil & Water Conservation District's contributions and funds and place it into the State General Fund. If that were to happen, the SWCD's would not be able to operate effectively.

The SWCD's are empowered through Chapter 180 to act on behalf of the State to develop conservation plans, construct, coordinate and maintain projects, form associations, conduct research and training. All of our Directors volunteer their time and expertise to work on conservation issues affecting their communities.

DLNR only provides \$2,360 in funding annually to the Ka'u SWCD. We have gotten additional funding through grants, financial and in-kind support from the Federal Government, County of Hawaii and from private donors. Chapter 180-13 allows Districts to generate its own funding through various means.

We would not be able to operate without these additional supporting funds and in-kind services. The ability to hold these funds in reserve will allow us to provide uninterrupted services to the farmers and ranchers of the Ka'u District.

We ask that you pass HB 241.

Thank you for the opportunity to testify.

Randy Cabral
Director, Ka'u SWCD

Hawaii Association of Conservation Districts

Subject: Testimony in Strong Support of HB 241

Good Morning Chairs Ito and Tsuji. My Name is Megan O'Brian. I am the Conservation Specialist for the West and Windward Soil & Water Conservation Districts and an employee of the Hawaii Association of Conservation Districts (HACD).

I am submitting my testimony for strong support of HB 241, which if passed will allow the 16 Soil & Water Conservation Districts of Hawaii to keep its unspent revenues to carry out its district functions.

Currently Chapter 180-16 allows the State to take the Soil & Water Conservation District's contributions, money and funds and place it into the State General Fund. If the State was to do that, in essence the SWCDs would no longer be able to operate.

The SWCDs are empowered through Chapter 180 to act in behalf of the State of Hawaii to develop plans, construct, coordinate and maintain projects, form associations, conduct research and training. Each district has unique community and environmental needs. Most of our directors are knowledgeable land stewards and community members, who volunteer to work closely on their community's conservation issues.

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Without these additional supporting revenues and in-kind services, many of our districts would not be able to operate or exist. Without these funds and our ability to hold them in reserve, district employees, contractors and vendors who supply our operating materials and services would not get paid timely or not get paid at all.

The current wording in Chapter 180-16 allows the State to take additional revenues and place it into the State General Fund. We ask that you pass HB 241 which will allow districts to keep their revenues to operate and perform district functions.

Thank you for the opportunity to testify.

Megan O'Brian
Conservation Specialist



Hawaii Agriculture Research Center

Administration: P.O. Box 100, Kunia, HI 96759

Ph: 808-621-1350/Fax: 808-621-1359

**TESTIMONY BEFORE THE HOUSE COMMITTEES
ON
WATER, LAND, AND OCEAN RESOURCES
AND
AGRICULTURE**

HOUSE BILL 241

February 13, 2009

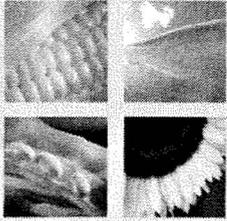
Chairmen Ito and Tsuji, Vice Chairs Har and Wooley, and Members of the Committees:

My name is Stephanie Whalen. I am Executive Director of the Hawaii Agriculture Research Center (HARC). I am testifying today on behalf of the center and our research and support staff.

HARC strongly supports House Bill 241.

As you know, Hawaii's Soil and Water Conservation Districts are instrumental in providing technical and educational support to farmers to help prevent soil erosion and water pollution. Unfortunately, because they are tasked with enormous responsibilities without adequate staffing or resources necessary to accomplish those duties, much of the work is done by officers who volunteer their time and expertise and donate personal funds to make ends meet. This bill would allow the districts to keep moneys they receive so that they can better perform their much needed services.

Thank you for the opportunity to testify in support of Hawaii's agricultural needs.



Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

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Alicia Maluafiti

Testimony By: Alicia Maluafiti

HB 241, Agriculture

House WLO/AGR Committees

Friday, Feb. 13, 2009

Room 325, 9:00 am

Position: Strong Support

Chairs Ito and Tsuji, and Members of the House WLO/AGR Committees:

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association. The Hawaii Crop Improvement Association (HCIA) is a nonprofit trade association representing the agricultural seed industry in Hawaii. Now the state's largest agricultural commodity, the seed industry contributes to the economic health and diversity of the islands by providing high quality jobs in rural communities, keeping important agricultural lands in agricultural use, and serving as responsible stewards of Hawaii's natural resources.

This measure would allow HACD to carry over un-expended funds for operational purposes to complete its duties. It is not asking for additional funds. Currently, \$2,360 a year goes to each district for administering the duties of the volunteer directors. However, many directors donate personal money to help cover expenses. It is appropriate for the state to support this volunteer effort that serves the public good.

Your support of this facilitating measure is urged to support the **volunteers** perform a very critical function in Hawaii. HACD's mission is to act, educate, construct, maintain and assist in the development of conservation efforts and projects within the State of Hawaii. It has a proven track record of accomplishments that involve partnerships with landowners, Federal agencies such as the NRCS, EPA, NOAA, State agencies such as the DLNR, DOH, DOA, and County Government.

Thank you for the opportunity to testify.

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