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*Producers of Quality Fruits and Vegetables*  
**P.O. Box 261, Kualapuu, Molokai, HI 96757**

March 24, 2009

**House Committees on Agriculture, and Water, Land, and Ocean Resources**

***TESTIMONY TO AMEND SB 633***

Relating to the Molokai Irrigation System

***I SUPPORT THE CONCEPT OF INCREASING HAWAIIAN HOMESTEAD FARMER REPRESENTATION ON THE MOLOKAI IRRIGATION SYSTEM ADVISORY TO THE EXTENT THAT ADVISORY IS COMPOSED OF 2/3 HOMESTEAD FARMER AND 1/3 NON-HOMESTEAD FARMER. THIS BILL FALLS SHORT THIS MANDATE.***

Aloha. My name is Glenn Teves and I'm a Hawaiian Homestead Farmer in Hoolehua, Molokai. I've been growing taro and banana for over 20 years now and utilize the Molokai Irrigation as my only irrigation water source. I'm also the Founder of the Molokai Farm Bureau. I'm also Vice Chair of the Taro Security and Purity Task Force. I represent myself in this testimony.

This is the third year that I've come here to testify on this same issue, and I'm getting very tired and frustrated. My question to the two chairs of these committees is this: If you had 66% of the shares in a corporation, wouldn't you want to have an equal amount of votes on any issue? This is at issue today. The homesteaders want to be responsible for their resources and manage their resources. This is not about taking water away from non-Hawaiian farmers, this is about empowerment. We don't need others to make decisions for us.

An injustice continues to be perpetrated by DOA in concert with the state legislature. The Hawaiian Homes Act was amended in order to allow for the construction of the Molokai Irrigation System (MIS). Hawaiian Homesteaders gave up their right to government-owned water, free of charge, in exchange for building the MIS. The only way the MIS could be built is if Hawaiian Homesteaders waived their rights to free water. DHHL also had to give-up 1/3 of their water rights, and was forced to swap 1000 acres of Hawaiian Home Lands (Molokai Ag Park) for 300 acres in Waianae (ceded lands!). This land and water was set aside for non-homestead farmers as part of the agreement to build the MIS. Today, homesteaders have first rights to only 2/3's of this water, and many homesteaders are being denied access to this water because DOA is saying their lots are too small. This is not the intent of the Act.

Along with another homestead farmer, Matthew Adolpho, we worked with Senator Richard Matsuura to create the Molokai Irrigation Users Advisory. At that time, we didn't foresee the

contention that would occur with a shortage of water and an unprecedented expansion by the corn seed companies, specifically Monsanto. Also, we didn't foresee a change in the selection process of advisory members that cut out homesteader input into the selection of their representative by the Governor.

Prior to the election of Governor Lingle, the Hawaiian Homestead associations would forward a name to the selection committee and this individual would be selected. This is not the case today as our only homestead farmer representative was not selected by the homestead association, doesn't farm his homestead, is not in communication with the homestead farmers, and works for one of the corn seed companies, is the president and chief lobbyist of the Hawaii Crop Improvement Association, the lobbying arm of the corn seed industry. He's clearly in conflict of interest, and continues to undermine our bills, including this one.

As a result, what we have today are three members of the corn industry on the MIS Advisory and no Hawaiian homestead farmer representative. The DHHL representative on the advisory represents the Department of Hawaiian Home Lands, who has been on the opposite sides of issues from the homesteaders on many instances. DOA has embraced this individual and they have served each other's ends and undermined the homesteader's efforts. There are too many examples to mention, but my main concern is that our rights to our water must be controlled by us.

Those opposing this change have stated that the homesteaders will kick others off the system. How would this happen? We clearly realize that we need all farmers to continue to purchase water to keep the per-unit cost of water affordable for all, and the Users Advisory doesn't have this kind of authority. A representative for the DOA has stated in an earlier legislative hearing that there would be increased conflicts of interest if more homesteaders came on the Users Advisory. This is definitely grasping at straws. If this were the case, all members of the advisory are in conflict right now.

The poor relationship between the Hawaiian Homes farmers and the DOA continues to fester. The DOA is partly to blame for this, having used Mr. Helm to push DOA's agenda forward at all expense. Contrary to what Legislature is being led to believe, the relationship between Hawaiian Homesteaders and the DOA has not improved since the audit was conducted because DOA continues to deny Hawaiian Homesteaders their right to govern their water.

DOA is also denying homesteaders access to water because. Lots of less than 2 acres are being denied access to irrigation water because DOA administrative rules state that lots must be more than 2 acres. The Hawaiian Homes Act states that all homesteaders, both subsistence and commercial, have rights to the utilization of this water. This issue was brought up in DOA's long range planning meeting and there's still no movement on this.

The Hawaiian Homesteader must be given 2/3's of the seats on this advisory, and the entire advisory needs to be revamped to accomplish this. One way is to have six voting members of this advisory, four of which are Hawaiian Homestead farmers selected by the Hoolehua Homestead Association and the Molokai Homestead Farmers Alliance collectively; and two non-homestead farmer users of the Molokai Irrigation System. Any organization representatives presently serving on the MIS Advisory would continue to serve, but only in a non-voting capacity. This would be the best solution to the lack of enforcement of the Hawaiian Homes Act as it relates to the MIS.

This proposed format is acceptable to the present MIS advisory, since it was a point of discussion at one of their meetings, and met with the approval of all members present. This change in make-up of the MIS Advisory would go far in rectifying past injustices and would take us one step closer to community-based management of the Molokai Irrigation System. It has been shown that DOA cannot manage this system; according to the MIS audit, they couldn't even produce three years of financial records. DOA should defer to the Homestead farmers instead of continuing to fight them.

This is the future direction we should be taking, and an example of this is the Waipio Valley Stream Initiative where taro farmers, in coordination with state and federal agencies are coming up with a plan and implementation strategy to manage their water from the community level.

In closing, please support changing the make-up of the MIS Advisory to reflect the Hawaiian Homesteaders 2/3's prior right to this water. This will be an important step in making things PONO and would be one step in bringing all parties together to better manage this water for the future. Mahalo.