

LATE



Food Company Hawaii

1116 Whitmore Avenue • Wahiawa, Hawaii 96786

March 10, 2010

Representative Marcus Oshiro
39th Representative District
Hawaii State Capitol, Room 306
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Representative Oshiro:

I respectfully offer comments on HB 2689. It is my understanding that HB 2689 proposes to exempt conveyances of agricultural water systems to the Board of Agriculture from subdivision requirements. This would allow the State to accept existing water systems without subdividing all the tunnels, reservoirs, ditches, and appurtenances. We support the concept as formal subdivision for agricultural water systems can be a lengthy and costly process.

We also want to clarify that our previous offer to gift/donate Lake Wilson/Wahiawa Irrigation System to the State is no longer applicable because several circumstances have changed as follows:

1. Time lapse since our initial offer (see attached).
2. Sustainable Hawaii, LLC is the new owner of the Wahiawa Reservoir dam portion that previously belonged to the Galbraith Estate. It is my understanding that the new owner has not offered to gift their portion of the dam and reservoir.
3. Dole Food Company is now a publicly traded corporation and has shareholders with ownership interest in the company; disposal of assets now requires a stringent process.
4. Dole Food Company has undertaken substantial and expensive repairs to the system. We have committed to more repairs to operate this water system.
5. Due to the changing economy and since substantial capitol improvements have been committed to maintenance and operation, Dole Food Company can no longer offer Lake Wilson and the Wahiawa Irrigation System as a gift to the state.

Dole Food Company continues to be committed to maintain and operate this water system for the benefit of agriculture on central and north Oahu and supports HB 2689 and the goal of streamlining the conveyance of water systems in the future.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Nellis".

Daniel Nellis
Operations Director

attachment
cc: Michael Magaonay

March 12, 2010

Honorable Senator Clayton Hee, Chair
Honorable Senator Jill N. Tokuda, Vice Chair
& members of the **Committee on Water, Land & Hawaiian Affairs**
Honorable Senator J. Kalani English, Chair
Honorable Senator Mike Gabbard, Vice Chair
& members of the **Committee on Transportation, International, & Intergovernmental Affairs**
STATE SENATE
State Capitol, Conference Room 224
415 South Beretania Street
Honolulu, HI 96813

Dear Senator Hee, Senator Tokuda & members of the **Committee on Water, Land & Hawaiian Affairs:**

Dear Senator English Senator Gabbard & members of the **Committee on Transportation, International, & Intergovernmental Affairs:**

Subject: **HB 2689, HD1, HSCR632-10, Relating to Agricultural Water Systems – Hearing: Friday, March 12, 2010, 1:15 p.m. Conference Room 224, State Capitol**

I would like to request that the language of the bill be changed to allow the exemption of conveyance of agricultural water systems to the Board of Agriculture also be allowed for the County Boards of Water Supply. On Kaua'i there are places where the County would like to locate agricultural parks and for lack of water have not been developed.

The Kaua'i County Charter does not limit the Water Board attention to potable water systems and where the State is not interested in operating a specific system the Board may be willing to do it. The surface water systems are a valuable resource to the County for the future development of Agriculture and anything that can be done to reduce the cost of transferring these assets should be done.

If you need to contact me, please call (808) 245-5408, fax at (808) 246-8628 or email at dcraddick@kauaiwater.org.

Respectfully submitted,

David R. Craddick, P.E.
Manager and Chief Engineer

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Leg. Test. 2010/HB2689, HD1, HSCR632-10, Agricultural Water Systems (3-12-10 Hearing):rm