

NAME	ORGANIZATION/INDIVIDUAL	SUPPORT/OPPOSE
SHERRY MENOR-MCNAMEARA	CHAMBER OF COMMERCE HAWAII	SUPPORT
DAVID Z ARAKAWA	LAND USE RESEARCH FOUNDATION OF HAWAII	SUPPORT
ANNA KAHALEKULU	INDIVIDUAL	OPPOSE
BRYCE ELLORY	INDIVIDUAL	OPPOSE
CHARLES LAQUIDARA	INDIVIDUAL	OPPOSE
DALE TAGAMI FUKUSHIMA	INDIVIDUAL	SUPPORT
EMILY HILL	INDIVIDUAL	SUPPORT
FAWN LIEBENGOD	INDIVIDUAL	OPPOSE
GRACE MOON	INDIVIDUAL	SUPPORT
HEATH WILLIAMS	INDIVIDUAL	OPPOSE
JACQUI HOOVER	INDIVIDUAL	SUPPORT
JOE MAGALDI	INDIVIDUAL	SUPPORT
JOSEPH KOHN	INDIVIDUAL	OPPOSE
JULIE WETTSTEIN	INDIVIDUAL	SUPPORT
KEVIN M BALOG	INDIVIDUAL	SUPPORT
LINDA WEST	INDIVIDUAL	SUPPORT
MARVIN FELDMAN	INDIVIDUAL	OPPOSE
MARY MAHELANI SYLVA	INDIVIDUAL	OPPOSE
MARY	INDIVIDUAL	OPPOSE
MAUREEN HARNISCH	INDIVIDUAL	OPPOSE
MAXINE BURKETT	INDIVIDUAL	OPPOSE
NOA LINCOLN	INDIVIDUAL	OPPOSE
RICHARD S RICK TOWILL	INDIVIDUAL	SUPPORT
ROBERT FISHMAN	INDIVIDUAL	SUPPORT
ROBERTA CHU	INDIVIDUAL	SUPPORT
ROY LAMBRECHT	INDIVIDUAL	SUPPORT
TOM EISEN	INDIVIDUAL	OPPOSE
VALERIE LOH	INDIVIDUAL	OPPOSE
WES	INDIVIDUAL	OPPOSE
WILLIAM N JARDINE	INDIVIDUAL	SUPPORT
ZACHARY HITCHCOCK	INDIVIDUAL	OPPOSE

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: jlee@cochawaii.org
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 10:06:39 AM
Attachments: [04-15-2015 Sen WTL GM 820 - William Balfour, Jr..docx](#)

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Menor-McNamara	Chamber of Commerce Hawaii	Support	Yes

Comments:

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Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the Senate Committee on Water and Land
Wednesday, April 15, 2015 at 2:45 P.M.
Conference Room 224, State Capitol**

**RE: GOVERNOR'S MESSAGE 820 SUBMITTING FOR CONSIDERATION AND
CONFIRMATION TO THE COMMISSION ON WATER RESOURCE MANAGEMENT,
GUBERNATORIAL NOMINEE, WILLIAM BALFOUR, JR.**

Chair Thielen, Vice Chair Galuteria, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **strongly supports** the confirmation of Mr. William Balfour, Jr. to the Commission on Water Resource Management.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Mr. Balfour brings a wealth of knowledge and experience from over 56 years in the agri-business community and public service for the people of Hawaii. Having experience in both government and the private sector, Mr. Balfour understands the need for interaction between the two. More importantly, his extensive experience in the agricultural industry will provide the commission with a much needed perspective of the importance of water in keeping agriculture viable in Hawaii.

Active management of our natural resources requires "balance" to preserve where necessary while being prudent in how we chose to develop and sustain our natural resources for future generations.

We believe Mr. Balfour will bring the necessary balance to the public policy decisions that are made by the Commission on Water Resource Management.

We appreciate the opportunity to provide our support for this nomination.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: darakawa@lurf.org
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 12:50:15 PM
Attachments: [150414 GM 820 BALFOUR Nomination for CWRM \(WTL\) 04-15-15 \(dza\)rev.pdf](#)

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support	Yes

Comments:

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LAND USE RESEARCH
FOUNDATION OF HAWAII

1100 Alakea Street, Suite 408
Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

April 14, 2015

Senator Laura H. Thielen, Chair
Senator Brickwood Galuteria, Vice Chair
Senate Committee on Water and Land

Strong Support of Governor’s Message No. 820 Submitting for consideration and confirmation to the Commission on Water Resource Management, Gubernatorial Nominee, WILLIAM BALFOUR, JR., as an At-Large member, for a term to expire on June 30, 2019.

WTL Hearing: Wednesday, April 15, 2015, 2:45 p.m., in Conference Room 224

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 a utility company. One of LURF’s missions 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 provide testimony in **strong support for Governor’s Message No. 820 (GM 820), and the confirmation of Gubernatorial Nominee, William Balfour, Jr.** to the Commission on Water Resource Management (CWRM) as an At-Large member.

LURF’s Position. LURF strongly supports the confirmation of Mr. Balfour based on, amongst other things, the following:

- **Forty-Seven Years of Experience, Knowledge and Expertise in Water Management.** Spanning over forty-seven years, Mr. Balfour has developed extensive experience and knowledge relating to water management, including conservation practices (water, plant, soil), cultivation practices, water resource development and transmission systems.
- **Familiarity and Understanding of Hawaii’s Water and Irrigation Systems.** In his prior positions with the plantations and irrigation systems, Mr. Balfour has been involved in making future water management decisions as well as emergency water decisions during heavy rains; has coordinated major repairs to the East Kauai Irrigation System; has walked the Waiahole Ditch System and rafted through the Koolau Tunnel.
- **Served in an Important Role in the Designation of Oahu’s Pearl Harbor Aquifer.** As President and Manager of the Oahu Sugar Company, Mr. Balfour worked with the U.S. Navy, the State Department of Land and Natural Resources, and the Board

of Water Supply of the City and County of Honolulu, in the proceedings that led to the designation of Oahu's Pearl Harbor Aquifer.

- **Six Years of Active Involvement, Experience and Institutional Knowledge as a prior CWRM Commissioner.** Mr. Balfour was appointed, and served six years as a very active and involved CWRM Commissioner. In that capacity, he contributed his experience and expertise, developed valuable institutional knowledge, protected the public trust in water resources and followed the law as advised by the Attorney General.
- **Preservationist, Steward and Caretaker of Oahu's Botanical Gardens and Over 300 Parks.** While serving ten years as the Director of Parks and Recreation and as a Special Assistant in that department, Mr. Balfour was responsible for the preservation, care and water issues relating to Oahu's botanical gardens (including Ho'omaluhia, Wahiawa, Lili'uokalani Wahiawa, Koko Crater and Foster Botanical gardens), as well as water management issues in all of Oahu's county parks.

Facts Relating to Mr. Balfour's Prior Service on the CWRM. During Mr. Balfour's prior service as a Commissioner, the CWRM and its staff continued in their ongoing efforts to be good stewards of the State's water resources and water managers; among other things, studying and addressing rainfall data and drought conditions across the State; taking measurements with the U.S. Geological Survey staff; examining information and data relating to model predictions, actual uses and non-use of water allocations; updating data regarding sustainable yields for a number of aquifers across the State; and using the new data and information to re-evaluate domestic, irrigation and in-stream water requirements.

Despite the good work done by the CWRM during this period, opponents to Mr. Balfour's nomination have made false, misleading and inflammatory claims about his votes as a CWRM Commissioner in the Na Wai Eha contested case and regarding the petitions for contested case in the East Maui Irrigation matter. However, as described below, the truth is – that while serving as a Commissioner, Mr. Balfour followed the applicable laws as then interpreted by the Department of the Attorney General and joined the CWRM Chair, Laura Thielen and the majority of the CWRM Commissioners, in those positions and decisions in those matters. It is false, unfair and misleading for opponents to blame Mr. Balfour for those CWRM actions.

In the **Na Wai Eha case**, Mr. Balfour joined the clear majority of the CWRM Commissioners, including then-Chair, Laura Thielen, in adopting the Findings of Fact, Conclusions of Law and Decision and Order in the Matter of the 'Iao Ground Water Management Area High-Level Source Water-Use Permit Applications and Petition to Amend Interim Instream Flow Standards of Waihe'e River and Waiehu, 'Iao, & Waikapu Streams Contested Case Hearing (CCH-MAO6-01) dated June 10, 2010 (Decision and Order).

The CWRM's Decision and Order was adopted and signed by six of the seven CWRM Commissioners, including CWRM Chair Laura Thielen (also Chair of the Board of Land and Natural Resources) and CWRM Commissioners Dr. Chiyome Fukino (Director of the State Department of Health), William Balfour, Sumner Erdman, Neal Fujiwara, and Donna Kiyosaki. Commissioner Dr. Lawrence Miike filed a Dissenting Opinion.

It is also LURF's understanding that at the Deputy Attorney General assigned to provide legal counsel to the CWRM was present at all the CWRM meetings regarding the Na Wai Eha matter, did not object to the Decision and Order and did not object to the vote to approve the Decision and Order by the CWRM Commissioners. While the CWRM Decision and Order in this case was later overturned at that time, the record shows that at the time of their decision, Mr. Balfour and six of the seven Commissioners understood that they were following the law.

(See, CWRM's Findings of Fact, Conclusions of Law, and Decision and Order in the Matter of the 'Iao Ground Water Management Area High-Level Source Water-Use Permit Applications and Petition to Amend Interim Instream Flow Standards of Waihe'e River and Waiehu, 'Iao, & Waikapu Streams Contested Case Hearing [CCH-MAO6-O1] dated June 10, 2010).

With respect to the petitions for contested case hearings in the **East Maui Irrigation** matter, the five Commissioners present at the CWRM meeting voted unanimously to approve the CRWM Staff recommendation and submittal, including CWRM Chair, Laura Thielen, Dr. Chiyome Fukino, William Balfour, Jr., Neal Fujiwara and Donna Kiyosaki. Commissioners Dr. Lawrence Miike and Sumner Erdman were not present and excused.

Excerpts from the Minutes of the CWRM meeting are as follows:

***“RECOMMENDATION:** That the Commission deny the petitions for a contested case hearing filed by the Maui DWS and NHLIC, on behalf of Na Moku, as it is clear there was no requirement for the Commission to hold a contested case hearing prior to making a decision on the amendment of interim IFS for the 16 hydrologic units in east Maui.*

...

***MOTION:** (Kiyosaki/Balfour) To approve the submittal. UNANIMOUSLY APPROVED.”*

According to the CWRM Meeting Minutes for October 18, 2010, the CRWM's Attorney General was also present and did not object to or make comments relating to the CRWM Staff submittal and recommendation, or to the unanimous vote by the CRWM Commissioners to accept the CWRM staff submittal and recommendation. Based on the CWRM records, it is apparent that at that time, Mr. Balfour and all of the Commissioners present at that meeting had the understanding that their decision complied with the law.

(The above excerpt is from the Minutes for the Meeting of the CWRM on October 18, 2010, Action on the Request for a Contested Case Hearing before the Commission on Water Resource Management by Native Hawaiian Legal Corporation, on Behalf Na Moku Aupuni O Koolau Hui, and the County of Maui, Department of Water Supply.)

Conclusion. Mr. Balfour has extensive experience and knowledge relating to water management, including water conservation practices, water resource development and transmission systems and agricultural cultivation practices relating to the use and conservation of water. He has also has experience serving six years as an active and contributing member of the CWRM, has valuable institutional knowledge relating to the CWRM; and he understands the public trust, the value and importance of water, and water management on all of the islands. LURF believes that the State of Hawaii will be well served by Mr. Balfour as a member of the CWRM.

For the reasons stated above, LURF is **in strong support of the confirmation of Mr. Balfour**, and respectfully urges your favorable consideration of **GM 820**.

Thank you for the opportunity to present testimony regarding this measure.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: akahalekulu@gmail.com
Subject: *Submitted testimony for GM820 on Apr 15, 2015 14:45PM*
Date: Wednesday, April 15, 2015 12:26:48 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Kahalekulu	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: earthsword9@earthlink.net
Subject: *Submitted testimony for GM820 on Apr 15, 2015 14:45PM*
Date: Wednesday, April 15, 2015 1:48:38 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bryce Ellory	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: charles.laquidara@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 11:12:40 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Laquidara	Individual	Oppose	No

Comments: No on Balfour

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From: [Dale Tagami Fukushima](#)
To: [WTLTestimony](#)
Subject: GM 820 TESTIMONY - STRONG SUPPORT
Date: Wednesday, April 15, 2015 11:48:17 AM

Testimony on **GM 820 (SUPPORT)**
Confirmation of **WILLIAM D. BALFOUR, Jr.**
Commission on Water Resources Management
STRONG SUPPORT

COMMITTEE ON WATER AND LAND
April 15, 2015
2:45pm, Room 224

Chair Thielen, Vice Chair Galuteria and Committee Members:

I respectfully urge your support in confirming the appointment of WILLIAM D. BALFOUR, Jr. to serve on the Commission on Water Resources Management. Through his past service on the Water Resources Management Commission, Bill has demonstrated that he is well qualified and possesses the necessary knowledge and commitment to fill this post. Along with his professional experience, Bill has held many posts within the State and County governments and private sector both in paid and volunteer positions that further lend to his experience and expertise.

Bill has been a dedicated public servant for a many years and has shown his commitment to our State time and time again. For these reasons and so many more, I ask for your full support in his confirmation.

Mahalo for your consideration.

Dale Tagami Fukushima
Honolulu, HI 96816

From: [Emily Hill](#)
To: [WTLTestimony](#)
Subject: I SUPPORT Bill Balfour to serve on the Commission on Water Resource Management.
Date: Wednesday, April 15, 2015 9:38:59 AM

I SUPPORT Bill Balfour to serve on the Commission on Water Resource Management.

Emily hill

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: justpeachy242@yahoo.com
Subject: *Submitted testimony for GM820 on Apr 15, 2015 14:45PM*
Date: Wednesday, April 15, 2015 12:51:56 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Fawn Liebengood	Individual	Oppose	No

Comments:

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From: [grace moon](#)
To: [WTLTestimony](#)
Subject: State Commission On Water Resources Appointment
Date: Wednesday, April 15, 2015 9:33:15 AM

I respectfully urge your support in confirming the appointment of WILLIAM D. BALFOUR, Jr. to serve on the Commission on Water Resources Management. Through his past service on the Water Resources Management Commission, Bill has demonstrated that he is well qualified and possesses the necessary knowledge and commitment to fill this post. Along with his professional experience, Bill has held many posts within the State and County governments and private sector both in paid and volunteer positions that further lend to his experience and expertise.

Bill has been a dedicated public servant for a many years and has shown his commitment to our State time and time again. For these reasons and so many more, I ask for your full support in his confirmation.

Grace Moon
April 15, 2015

From: [Heath Williams](#)
To: [WTLTestimony](#)
Subject: Opposition to Bill Balfour Nomination
Date: Wednesday, April 15, 2015 11:02:27 AM

I'm writing to express firm opposition to this nomination. He has obvious conflicts of interest. Please do not confirm.

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: jacquihawaii@yahoo.com
Subject: *Submitted testimony for GM820 on Apr 15, 2015 14:45PM*
Date: Wednesday, April 15, 2015 9:38:01 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqui Hoover	Individual	Support	No

Comments:

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RECEIVED
APR 15 2015

COMMITTEE ON WATER AND LAND


April 15, 2015
2:45pm, Room 224

Chair Thielen, Vice Chair Galuteria and Committee Members:

I respectfully urge your support in confirming the appointment of WILLIAM D. BALFOUR, Jr. to serve on the Commission on Water Resources Management. Through his past service on the Water Resources Management Commission, Bill has demonstrated that he is well qualified and possesses the necessary knowledge and commitment to fill this post. Along with his professional experience, Bill has held many posts within the State and County governments and private sector both in paid and volunteer positions that further lend to his experience and expertise.

Bill has been a dedicated public servant for a many years and has shown his commitment to our State time and time again. For these reasons and so many more, I ask for your full support in his confirmation.

Mahalo for your consideration.


Joe Magaldi
Honolulu 96813

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: wao-hsl@WeAreOne.cc
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 10:24:36 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Individual	Oppose	No

Comments: Strongly Oppose www.WeAreOne.cc

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From: Julie Wettstein <bigislandrealestate@outlook.com>
To: "WTLTestimony@capitol.hawaii.gov" <wtltestimony@capitol.hawaii.gov>
Date: Fri, 10 Apr 2015 10:10:33 -1000
Subject: Testimony

Your Big Island Realtor
Julie Wettstein
Windermere/ C and H Properties
Tel: 808-345-6934

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ENTER MY FUN FACEBOOK SWEEPSTAKES
FIND ME ON FACEBOOK

Windermere REAL ESTATE

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I support Bill Balfour's confirmation to the Water Commission.

(Remember you can search for properties from your mobile device by downloading the app (HOME SCOUTING) in your app store. Your VIP code is 8083456934)

Mahalo,

Julie Wettstein, Realtor/Broker

Cell: 808-345-6934

Windermere / C and H Properties

75-5919 Walua Road

Kailua-Kona, HI 96740

Office: 808-329-2601 / Fax: 808-329-0551

Cell: 808-345-6934

Email: BigIslandRealEstate@Outlook.com

Visit my website at <http://juliesellsthebigisland.withwre.com/>

<http://www.fabusend.com/view/?m=1YgfG6-0001ed-Bs>

4/15/2015

From: [Kevin M. Balog](#)
To: [WTLTestimony](#)
Subject: Support Of William Balfour
Date: Wednesday, April 15, 2015 11:26:53 AM

Aloha,

I would like to ask you to approve the Governors nomination of Bill Balfour to the State Water Commission.

We are truly blessed to have someone like Mr. Balfour volunteer to serve.

Not only is Mr. Balfour qualified to serve on the State Water Commission, he has already had the opportunity to serve on this commission.

This will allow Mr. Balfour to hit the ground running and be able to offer his professional and personal knowledge to ensure that issues can be resolved and voted on in a timely manor.

Thank you for your consideration.

Mahalo,

Kevin M. Balog
Manager
Edwin De Luz Trucking & Gravel LLC
Kohala Coast Concrete & Precast LLC
(808) 960-1407 Cell
blogranch@aol.com

From: [Linda West](#)
To: [WTLTestimony](#)
Subject: Bill Balfour
Date: Wednesday, April 15, 2015 10:18:39 AM

To Whom it may concern:

I have known Bill Balfour for many years. He has done an exemplary job in his many different positions - both volunteer and paid. He is highly qualified and I urge that he be appointed to the water commission. He can be trusted to do a good job.

Linda West

Linda West, R(B)
Clark Realty Corporation
lindawest.clarkhawaii.com

Cell: 808-987-5748
Hilo Office: 808-961-6015
Waimea Office: 808-887-0887
lindawest63@gmail.com

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mfeldman@resourcedecisions.net
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 10:23:16 AM
Attachments: [Oppose Balfour Nomination to the Water Resource Management Commission.docx](#)

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
marvin feldman	Individual	Oppose	No

Comments:

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Oppose Balfour Nomination to the Water Resource Management Commission

The WRM Commission is responsible for protecting the public water resources of the state. As a professional economist with a masters degree in Water Resource Management and a doctorate in Natural Resource Economics I understand the necessity of balancing resource protection with wise use. Mr. Balfour has repeatedly failed to perform that balancing in his decisions, siding consistently with private users as opposed to the protection of public resources. As Senators you are also sworn to protect the public resources. To perform this duty you must oppose this nomination.

Malama aina!

Marvin Feldman, Ph.D.

Captain Cook

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mahelanisylva@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 1:50:38 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Mahelani Sylva	Individual	Oppose	No

Comments: Madam Chair Laura Thielen, Vice Chair Brickwood Galuteria and Members of the Committee, I am in OPPOSITION of GM820. Balfour has spent 39 years as a sugar company executive. He spent 19 years as president and manager of Pioneer Mill Company, Oahu Sugar Company, Lihue Plantation Company and McBryde Sugar Company. He also was an executive for Amfac, administrator for various Castle & Cooke of Honolulu departments and is a consultant for Monsanto. A major portion of his life has been spent diverting streams to sugar plantation uses. He has little conservation or public interest work to balance out these professional influences. Mr. Balfour previously served on the Water Commission where as his pro-plantation decisions he made which were subsequently found to be illegal. Mr. Balfour's decisions were contrary to the public trust doctrine and other mandates under the State Water Code. The public trust doctrine provides that there are ultimate limits on the government's ability to transfer or impair certain critical natural resources on which the public depends now and in the future Hawaii water law has historically been a fight over surface water. The McBryde case prompted the Hawaii Supreme Court to revisit the public trust doctrine in Hawaii. Western law and traditional Hawaiian practices have been merged to define shared use. The public trust doctrine is a restriction on the misuse of an asset and is court created. The Water Commission has a public trust duty and a stewardship obligation to protect the resource for future generations and it is because of the public trust duty, I, Mary Mahelani Sylva, am OPPOSED to GM820, confirmation of William Balfour to CWRM. Thank you for your consideration to this matter. Mary Mahelani Sylva

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: tbaker@lava.net
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 11:02:58 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Mary	Individual	Oppose	No

Comments: I am opposed to William Balfour to head the Commission on Water Management. Water is a precious resource and I feel we need someone to lead the Commission who will help preserve the resource for all the people. I am concerned that based on the work he has engaged in he does not share this commitment. Mahalo, Mary Baker, Waimanalo

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: maureenharnisch@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 1:59:24 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Maureen Harnisch	Individual	Oppose	No

Comments: Please vote NO to this highly inappropriate candidate for the Water Commission. Mr. Balfour clearly has a conflict of interests and it would just be plain wrong to put him in this position!!!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: maxine.burkett@gmail.com
Subject: *Submitted testimony for GM820 on Apr 15, 2015 14:45PM*
Date: Wednesday, April 15, 2015 10:24:36 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Maxine Burkett	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: hawaiianhomegrown@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 12:51:07 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Noa Lincoln	Individual	Oppose	No

Comments: I strongly oppose William Balfour Jr. as the commissioner on water resource management. He does not have the breadth of experience and education needed to make the tough decisions balancing the many water-based needs of contemporary Hawaii. His singular, agriculturally-based view of water usage and needs will result in a skewed perspective in the necessary balance of agriculture, urban, and environmental water needs. Please consider an alternative candidate with broader experience in directly managing water resources for diverse needs.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: ricktowill@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 10:26:34 AM
Attachments: [Balfour Testimony.docx](#)

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Richard S "Rick" Towill	Individual	Support	Yes

Comments: was not able to sign my testimony, but will bring one to the hearing!

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April 15, 2015

Senator Laura H. Thielen
Chair, Committee on Water and Land
Senator Brickwood Galuteria
Vice Chair, Committee on Water and Land
Hearing on GM820
State Capitol, Conference Room 224

Aloha Chair Thielen, Vice Chair Galuteria, and Committee Members,

Please accept my strong support for Bill Balfour to a new term was a member of the Commission on Water Resource Management. My name is Rick Towill and have known Bill most of my adult life and Ohe is a hard working, no nonsense, get the job done kind of leader that is willing to take the hard stand and give a straight answer at the end of the day.

We are at a tipping point here in Hawaii, as we face the future challenges of overpopulation with a finite land footprint and more importantly a very finite and fragile water supply that is in a slow decline. If we are to sustain the ground water resources on each of our islands, we must make drastic changes both individually and collectively to our current per capita consumption of water. Look for example at the situation on Southern California, where the water resource deficit is currently the equivalent of two Lake Meads, and where first time mandatory water use restrictions are now being instituted. Research and current data collection indicates a per capita water consumption per day on Oahu to be at 130 gallons per day, and of that only 1% is actually physically per person. The remaining 199% is used for showering, toilet flushing, and clothes washing that ultimately travels to the ocean via our sewage treatment system. This egregious use, coupled with a trend towards drier weather predictions going forward, and the potential for sea level rise (whether you believe in global warming or not) begs the question: "are we really making efforts to manage our water resources so that they are still available 100 years from now?" My effort here is not to paint a dooms day scenario, but rather that we should be paying closer attention to the data, and making the necessary adjustments. **" We do not inherit the Earth from our Ancestors – it is on loan to us from our Children"**

This said, and after reviewing past commission meeting minutes, my takeaway is that Bill has stood for regular reports of current water supply levels, and that he has questioned the return of water to some streams. In spite of how we as Keiki o Ka Aina, would love to see stream flow restored to how it was 100 plus years ago throughout our islands, this may well not be in the interest of preserving our current aquifers with the current per capita consumption. If we **ALL** make it our Kuleana to make strident adjustments to our current water consumption, then we maybe at liberty to restore all streamflow...

In the meantime, my comfort would be best served with leadership like Bill Balfour, who are not afraid of questioning and taking the hard positions. Please confirm Bill Balfour to another tem on the commission on Water Resource Management.

Malama Kou Kino,

X

Richard S. "Rick" Towill

ROBERT J. FISHMAN
700 RICHARDS STREET, #1103
HONOLULU, HI 96813

fishmanrobert@hotmail.com

808-741-4911

April 15, 2015

Honorable Laura Thielen, Chair
and Members
Committee on Water and Land
Hawaii State Senate
State Capitol
Honolulu, HI 96913

RE: SUPPORT FOR CONFIRMATION OF WILLIAM D. BALFOUR, JR.

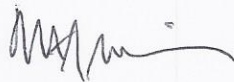
Dear Chair Thielen and Members of the Committee:

It is a pleasure to submit this letter of strong support for William D. Balfour, Jr. to continue his service on the Commission of Water Resources Management. Over the decades, Bill has proven his integrity, knowledge, and enthusiasm in the very critical resource management areas overseen by this commission. He has served in key posts in government and the private sector, and has given much of his time and energy to volunteer positions as well. He is a true resource for our State.

One of Bill's trademarks is certainly his inclination to speak in an honest and straightforward manner. Sometimes, this attribute has rankled those who don't share his views. However, his candor and professionalism have proven him to be a consummate professional with a strong commitment to do what is right for Hawaii. Having spent nearly four decades in government service in Hawaii, I can confidently state that we need as many Bill Balfours as we can find to serve.

I have worked closely with Bill for a number of years when we both served at the City and County of Honolulu. I strongly believe he is the kind of individual who should continue to serve our state as long as he chooses. Your favorable consideration of his nomination is strongly urged.

Very respectfully,



Robert J. Fishman

From: [Chu, Roberta](#)
To: [WTLTestimony](#)
Subject: Bill Balfour nomination
Date: Wednesday, April 15, 2015 2:11:52 PM

I support Bill Balfour's appointment to the water commission by Governor Ige.

Roberta Chu
478 Kipuni Street
Hilo, HI 96720

From: [ROY LAMBRECHT](#)
To: [WTLTestimony](#)
Subject: WATER COMMISSION TESTIMONY
Date: Wednesday, April 15, 2015 11:22:53 AM

DEAR SIRS,

I SUPPORT BILL BALFOUR TO SERVE ON THE COMMISSION ON WATER RESOURCE MANAGEMENT.

SINCERELY,

ROY LAMBRECHT
808-960-6944

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: progressive.conservation@gmail.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 11:29:58 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Eisen	Individual	Oppose	No

Comments: Please do not confirm Mr. Balfour's nomination to the Water Commission. While there are numerous legitimate reasons to substantiate this position, quite simply he has already spent time serving on this important board and his decisions were contrary to the public trust doctrine and other mandates under the State Water Code. Sincerely, Tom Eisen

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: vallofoto@yahoo.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 1:12:31 PM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Loh	Individual	Oppose	No

Comments: Reasons to Oppose GM 820 (William Balfour's nomination to the Water Commission) Mr. Balfour has spent decades working for companies that divert millions of gallons of water a day from Hawaiian streams at the expense of native Hawaiian water rights, kalo and other farmers, and native species and ecosystems. Such companies include American Factors (AMAC), Alexander & Baldwin (A&B), Lihue Plantation Company, East Kauai Irrigation System, and Oahu Sugar Company, and Waiahloe Irrigation System. He also worked for Aloha Farms, the City and County of Honolulu, and Monsanto. Mr. Balfour represents the old way of doing business in Hawai'i, in which constitutionally guaranteed water rights, the public trust, and native species and ecosystems are ignored in favor of continued exploitation of the resource. The paradigm is shifting, and we can not afford the old way any longer. This nomination is a huge step backwards for Hawai'i. We ask Mr. Balfour to step aside and let others serve on the Commission for a more just and sustainable water management regime in the islands. Mr. Balfour already served on the Commission on Water Resource Management, and his decisions were contrary to the public trust doctrine and other mandates under the State Water Code: * He voted to give large water companies continued access to large amounts of water at the expense of restored stream flows and Hawaiian water rights in the Na Wai 'Eha case in Central Maui. The Commission's decision was appealed to the Hawai'i Supreme Court and reversed. * He voted against granting Hawaiian practitioners a contested case hearing over Alexander & Baldwin subsidiary East Maui Irrigation Company's long-standing and destructive diversion of millions of gallons of water per day from East Maui streams. The Commission's decision was appealed to the Hawai'i Supreme Court and reversed. * He voted to dismiss a petition to designate the Keauhou Aquifer as a Water Management Area before the petitioner, National Park Service, even had the opportunity to present its case. The petition is moving forward and information is being gathered by the Commission's staff. Please oppose GM 820 and William Balfour for the Commission on Water Resource Management.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: wesley.j.wong@live.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 11:20:01 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Wes	Individual	Oppose	No

Comments: A new breed is needed; one that will support sustainability in the State instead of only monetary incentives.

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From: [Bill Jardine](#)
To: [WTLTestimony](#)
Subject: Support for William Balfour
Date: Wednesday, April 15, 2015 12:30:34 PM

Please be advised that we very much support the excellent appointment of William Balfour to the Water Commission. His thorough understanding of West Hawaii water issues is critical to the health and welfare of our communities. He is a seasoned counsel that understands the complications of both our natural resources as well as the competing interests for resource management.

Thank you for your consideration,

William N Jardine
65-1291 Kawaihae Road #201
Kamuela, HI 96743
(808) 885-6061

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: zacharyhitchcock@yahoo.com
Subject: Submitted testimony for GM820 on Apr 15, 2015 14:45PM
Date: Wednesday, April 15, 2015 11:35:45 AM

GM820

Submitted on: 4/15/2015

Testimony for WTL on Apr 15, 2015 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Zachary Hitchcock	Individual	Oppose	No

Comments: Zachary Hitchcock Chair, Surfrider Foundation Oahu Chapter 1533 Artesian Way Honolulu, Hawaii Dear Sir, I oppose the nomination of Mr Balfour. Please, consider someone who actually cares about the proper allocation of our precious waters. Mr Balfour has proven he does not have the best interests of our island community in mind. Sincerely, Zachary Hitchcock 808-222-6960

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