SB 3031

SHAN S. TSUTSUI Lt. Governor



SCOTT E. ENRIGHT Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER Deputy to the Chairperson

State of Hawaii DEPARTMENT OF AGRICULTURE 1428 South King Street Honolulu, Hawaii 96814-2512 Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF SCOTT E. ENRIGHT CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE

February 10, 2016 3:30 P.M. CONFERENCE ROOM 224

SENATE BILLL NO. 3031 RELATING TO IRRIGATION

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 3031. The purpose of this measure is to authorize the Director of Finance to issue general obligation bonds to finance capital improvements to various irrigation systems. The Department of Agriculture supports the intent of this bill and respectfully offers the following projects for consideration.

- 1. <u>Molokai Irrigation System Improvements \$4,000,000 (\$300,000 Design /</u> <u>\$3,700,000 Construction</u>)
- 2. Lower Hamakua Ditch Improvements, Hawaii \$2,000,000 (\$250,000 Design / \$1,750,000 Construction)
- 3. <u>Kahuku Ag Park Improvements, Oahu \$1,400,000 (\$250,000 Design /</u> <u>\$1,150,000 Construction)</u>
- 4. Waimanalo Irrigation System Improvements, Oahu \$3,700,000 (\$400,000 Design / \$3,300,000 Construction)
- 5. <u>Waimea Irrigation Improvements, Hawaii \$600,000 (\$100,000 Design /</u> <u>\$500,000 Construction)</u>
- 6. <u>State Irrigation Reservoir Safety Improvements, Statewide \$1,000,000</u> (\$999,000 Design / \$1,000 Construction)

Thank you for the opportunity to testify on this measure.



DAVID Y. IGE GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM

HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND OFFICE OF THE PUBLIC DEFENDER

DEPARTMENT OF BUDGET AND FINANCE P.O. BOX 150 HONOLULU, HAWAII 96810-0150

WESLEY K. MACHIDA DIRECTOR RODERICK K. BECKER DEPUTY DIRECTOR

ADMINISTRATIVE AND RESEARCH OFFICE BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION FINANCIAL ADMINISTRATION DIVISION OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

TESTIMONY BY WESLEY K. MACHIDA DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE TO THE SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE ON SENATE BILL NO. 3031

February 10, 2016 3:30 P.M.

RELATING TO IRRIGATION

Senate Bill No. 3031 authorizes the issuance of general obligation bonds to finance capital improvements to various irrigation systems.

The Department has technical comments on this bill. Federal tax law requires, among other things, that tax-exempt general obligation bond proceeds be used to finance projects/programs that serve public purposes. As it appears that private entities may derive the benefit from this legislation, tax-exempt general obligation bonds cannot be used for this purpose. The State would need to issue taxable general obligation bonds at a higher cost in order to allow the department of agriculture to provide financing assistance to private entities.

In addition, as funding for this program is not in the proposed Executive Budget, should this bill proceed or pass the Legislature, an amount for the corresponding annual debt service will need to be included in the Legislature's version of the budget.

No. 1 Capitol District Building, 250 S. Hotel Street, Honolulu, Hawaii 96813

Thank you for the opportunity to provide our testimony on this bill.

STATE OF HAWAII



WRITTEN ONLY

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Warren Watanabe	Maui County Farm Bureau	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



February 4, 2016

Senator Mike Gabbard, Chair Senator Clarence K. Nishihara, Vice Chair Senate Committee on Water, Land, and Agriculture

Comments in Support of SB 3031 Relating to Irrigation. (Authorizes the director of finance to issue general obligation bonds to finance capital improvements to various irrigation systems.)

Wednesday, February 10, 2016, 3:30 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. LURF's mission 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 express its **support of SB 3031**, and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations and the conservation and protection of agriculture, including important agricultural lands (IAL) in Hawaii.

<u>SB 3031</u>. This bill authorizes the director of finance to issue general obligation bonds to finance capital improvements to various irrigation systems throughout the State to ensure a dependable supply of water for Hawaii's crops.

LURF's Position. The purpose of this measure is to provide additional funding needed for improvements to irrigation systems State-wide. Since large amounts of prime agricultural lands and irrigation systems became available for conversion to diversified agriculture as a result of the plantation closures in the 1990s, the State has had the opportunity to strengthen and expand Hawaii's diversified agriculture industry. Agricultural lands, however, require significant quantities of water to support and maintain productivity. In order to ensure that local agricultural producers may continue to receive a dependable supply of water for crops, as well as research and development operations, sufficient funding is necessary to improve, repair and maintain Hawaii's irrigation systems.

Local farmers and ranchers who rely on irrigation systems to service their agricultural lands consider such resources critical to conduct their agricultural operations and to sustain their businesses. These agricultural stakeholders believe measures such as SB 3031 will greatly assist by providing funding necessary to make improvements to irrigation systems for the long-term betterment of the State's agricultural industry, and depend on legislation such as this to help them work toward the expansion of diversified agriculture; promote the agricultural self-sufficiency of the State; and to protect water as an important resource.

For the above reasons, LURF **supports SB 3031**, and respectfully urges your favorable consideration.

Thank you for the opportunity to provide comments in support of this matter.



Email: communications@ulupono.com

SENATE COMMITTEE ON WATER, LAND, & AGRICULTURE Wednesday, February 10, 2016 — 3:30 p.m. — Room 224

Ulupono Initiative Strongly Supports SB 3031, Relating to Irrigation

Dear Chair Gabbard, Vice Chair Nishihara, and Members of the Committee:

My name is Kyle Datta and I am General Partner of the Ulupono Initiative, a Hawai'i-based impact investment company that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally grown food; increase affordable, clean, renewable energy; and reduce waste. We believe that self-sufficiency is essential to our future prosperity, and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono <u>strongly supports</u> **SB 3031**, which appropriates funding for capital improvement projects to various irrigation systems statewide, because it aligns with our goal of providing more locally produced food.

This bill recognizes that all agriculture needs a reliable water supply for consistent production, especially considering recent prolonged drought conditions and their devastating effects.

As Hawai'i's local food issues become more complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

We believe that by collaborating we can help produce more local food, support an economically strong homegrown agriculture industry, which strengthens our community with fresh, healthy food. Thank you for this opportunity to testify.

Respectfully,

Kyle Datta General Partner

Investing in a Sustainable Hawai'i

From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	normpenick@gmail.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Tuesday, February 09, 2016 9:13:34 AM

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Norman Penick	HFUU	Comments Only	No

Comments: This measure will appropriate public funds to repair many of the old "sugar irrigation systems" that dry up our rivers and streams" and move these public trust water resources from one watershed to another (inter-basin transport of water) which are causing serious ecological damage to our stream, estuarine, wetland and nearshore biota. Virtually all of the Hawaii Supreme Court Decisions and Orders regarding Waiahole, Na Wai Eha, East Maui Streams, and Waimea River, Kauai, have or will occur because of the severe dewatering of these streams and rivers. However, as long as the three conditions below are met, at least some of these irrigation systems may warrant repair. Conditions: 1.First all appurtenant water.rights must be fulfilled; 2.No more than 50% of the base flows can be diverted; and 3.No inter-basin transfer of water can be allowed. Mahalo, Norman Penick Member HFUU Hawai'i 96720

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



P.O. Box 253, Kunia, Hawai'i 96759 Phone: (808) 848-2074; Fax: (808) 848-1921 e-mail info@hfbf.org; www.hfbf.org

HEARING BEFORE THE HOUSE COMMITTEE ON WATER, LAND AND AGRICULTURE

TESTIMONY ON SB 3031: RELATING TO IRRIGATION

> Room 224 3:30 PM

Aloha Chair Gabbard, Vice Nishihara, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

The Hawaii Farm Bureau strongly supports SB3031, authorizing the director of finance to issue general obligation bonds to finance capital improvements to various irrigations systems.

Since the demise of sugar operations across the islands, we have seen the erosion of irrigation systems. Ditches that carried water fell into disrepair with major leaks in the system, and in cases such as Kau, cracks in tunnels created enough losses that there is no longer significant flow of water. The Legislature continues to advocate for increased self-sufficiency and sustainability. Agriculture must play a key role in the process and for there to be agriculture, water is important.

As time passes, these systems continue to degrade. Timely funding is needed to restore these systems to increase the opportunities for viable farm and ranch operations.

For these reasons, Hawaii Farm Bureau respectfully requests your **strong support of SB3031**, authorizing general obligation bonds to finance the restoration of irrigation systems. Thank you.

Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dale Sandlin	Hawaii Cattlemens Council	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	gottlieb@hawaii.rr.com
Subject:	*Submitted testimony for SB3031 on Feb 10, 2016 15:30PM*
Date:	Monday, February 08, 2016 9:18:48 PM

Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Gottlieb	Ponoholo Ranch Limited	Support	No

Comments:

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LARRY JEFTS FARMS, LLC PO BOX 27 KUNIA, HAWAII 96759 (808) 688-2892

SB 3031, Relating to Irrigation Senate WLA Committee Wednesday, February 10, 2015 3:30 pm Conference Room 224

Written Testimony by: Larry Jefts Position: Support

Chair Gabbard and Members of the Senate WLA Committee:

I am Larry Jefts, owner and operator of Larry Jefts Farms, LLC, which is part of our family-run business of farms on Oahu and Molokai, under the administrative umbrella of Sugarland Growers, Inc. We have more than 35 years of Hawaii farm experience on Molokai and Oahu.

Appreciation and support is expressed for this proposal to provide additional funding for improvements to irrigation systems throughout the State.

As large plantation-type farm operations closed, much of the State's irrigation systems fell into disrepair because there was no ongoing maintenance. These water lines often carried water through residential and business communities who also benefited from this kind of upkeep.

Successful agricultural production begins with accessible and affordable water. Without it, agricultural lands cannot be cultivated.

Your support of this measure is greatly appreciated.

From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	Alana.Ross@hotmail.com
Subject:	*Submitted testimony for SB3031 on Feb 10, 2016 15:30PM*
Date:	Tuesday, February 09, 2016 3:06:32 PM

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
AlanaRoss	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	begoniabarry@gmail.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Monday, February 08, 2016 1:43:13 PM

Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments: I support this Bill with the addition of the following comments This measure will appropriate public funds to repair many of the old "sugar irrigation systems" that dry up our rivers and streams" and move these public trust water resources from one watershed to another (inter-basin transport of water) which are causing serious ecological damage to our stream, estuarine, wetland and nearshore biota. Virtually all of the Hawaii Supreme Court Decisions and Orders regarding Waiahole, Na Wai Eha, East Maui Streams, and Waimea River, Kauai, have or will occur because of the severe dewatering of these streams and rivers. However, as long as the three conditions below are met, at least some of these irrigation systems may warrant repair. Conditions: First all appurtenant water.rights must be fulfilled; No more than 40% of the base flows can be diverted; and No inter-basin transfer of water can be allowed. Mahalo,

Please note that testimony submitted <u>less than 24 hours prior to the hearing</u>, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	Benjithehammy@gmail.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Wednesday, February 10, 2016 2:24:28 AM

Submitted on: 2/10/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Hambright	Individual	Oppose	No

Comments: Suggested Comments: This measure will appropriate public funds to repair many of the old "sugar irrigation systems" that dry up our rivers and streams" and move these public trust water resources from one watershed to another (interbasin transport of water) which are causing serious ecological damage to our stream, estuarine, wetland and nearshore biota. Virtually all of the Hawaii Supreme Court Decisions and Orders regarding Waiahole, Na Wai Eha, East Maui Streams, and Waimea River, Kauai, have or will occur because of the severe dewatering of these streams and rivers. However, as long as the three conditions below are met, at least some of these irrigation systems may warrant repair. Conditions: First all appurtenant water.rights must be fulfilled; No more than 50% of the base flows can be diverted; and No inter-basin transfer of water can be allowed. Thanks!

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	ihemphi@live.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Monday, February 08, 2016 3:10:07 PM

Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Denise Key	Individual	Support	No

Comments: This measure will appropriate public funds to repair many of the old "sugar irrigation systems" that dry up our rivers and streams" and move these public trust water resources from one watershed to another (inter-basin transport of water) which are causing serious ecological damage to our stream, estuarine, wetland and nearshore biota. Virtually all of the Hawaii Supreme Court Decisions and Orders regarding Waiahole, Na Wai Eha, East Maui Streams, and Waimea River, Kauai, have or will occur because of the severe dewatering of these streams and rivers. However, as long as the three conditions below are met, at least some of these irrigation systems may warrant repair. Conditions: First all appurtenant water.rights must be fulfilled; No more than 50% of the base flows can be diverted; and No interbasin transfer of water can be allowed.

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Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis F Lokmer	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	info@beyondorganicresearch.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Monday, February 08, 2016 10:04:33 PM

Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Jana Bogs	Individual	Support	No

Comments: Please include "disallowing use of glyphosate (i.e. Roundup) or other toxic herbicides in maintenance of irrigation systems". Materials used for repair should be non-toxic--not creosote or other materials disallowed on certified organic farms.

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Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
J. Ashman	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	mnakahata@gmail.com
Subject:	*Submitted testimony for SB3031 on Feb 10, 2016 15:30PM*
Date:	Wednesday, February 10, 2016 7:12:53 AM

Submitted on: 2/10/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Mae Nakahata	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	marie.janiszewski@gmail.com
Subject:	*Submitted testimony for SB3031 on Feb 10, 2016 15:30PM*
Date:	Tuesday, February 09, 2016 7:11:50 AM

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
marie janiszewski	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	naomi.picinich@gmail.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Tuesday, February 09, 2016 2:10:29 PM

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
naomi	Individual	Support	No

Comments: I agree with HFUU suggestions. This measure will appropriate public funds to repair many of the old "sugar irrigation systems" that dry up our rivers and streams" and move these public trust water resources from one watershed to another (inter-basin transport of water) which are causing serious ecological damage to our stream, estuarine, wetland and nearshore biota. Virtually all of the Hawaii Supreme Court Decisions and Orders regarding Waiahole, Na Wai Eha, East Maui Streams, and Waimea River, Kauai, have or will occur because of the severe dewatering of these streams and rivers. However, as long as the three conditions below are met, at least some of these irrigation systems may warrant repair. Conditions: First all appurtenant water.rights must be fulfilled; No more than 50% of the base flows can be diverted; and No inter-basin transfer of water can be allowed.

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Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Neil Vonhof	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
To:	WLA Testimony
Cc:	richvonwellsheim@yahoo.com
Subject:	Submitted testimony for SB3031 on Feb 10, 2016 15:30PM
Date:	Tuesday, February 09, 2016 12:58:44 PM

Submitted on: 2/9/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Rich von Wellsheim	Individual	Comments Only	No

Comments: In general i approve of dependable well maintained irrigatoin systems for hawaii agriculture. However i support funds being used only after all appurtenant water rights are fulfilled as well as not allowing more than 50% of base flows from being diverted. And ofcourse no inter-basin transfer of water must be allowed. thankyou Rich von Wellsheim

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Submitted on: 2/7/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Individual	Support	No

Comments:

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Submitted on: 2/10/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sunny Savage-Luskin	Individual	Support	No

Comments:

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Submitted on: 2/8/2016 Testimony for WLA on Feb 10, 2016 15:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tracy E Mills	Individual	Support	No

Comments:

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