

STAND. COM. REP. NO.

1627

Honolulu, Hawaii

MAR 31, 2021

RE: H.C.R. No. 163
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.C.R. No. 163, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO A LONG-TERM WATER LEASE WITH WAI'OLI VALLEY TARO HUI FOR THE HUI'S EXISTING USE OF WATER FROM WAI'OLI STREAM VIA DIRECT NEGOTIATION, UPON COMPLETION OF THE REQUIREMENTS OF CHAPTER 343, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental impact statement process.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Mayor of the County of Kauai, Office of Hawaiian Affairs, Sierra Club of Hawai'i, National Tropical Botanical Garden, Waioli Valley Taro Hui, Waipa Foundation, Hawai'i Land Trust, and numerous individuals.

Your Committee finds that the traditional and customary practice of kalo cultivation in Wai'oli Valley deserves protection. Your Committee further finds that the Board of Land

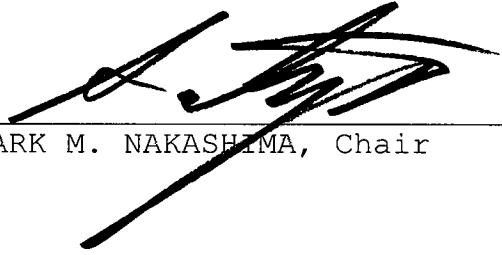
HCR163 HD1 HSCR JHA



and Natural Resources, in unanimously approving a perpetual easement for the Wai'oli Valley Taro Hui to continue to use and maintain its traditional lo'i kalo irrigation system, demonstrated its support for the Hui's stewardship and traditional and sustainable practices. Your Committee also finds that the Department of Land and Natural Resources is continuing to work with the Hui to complete the water leasing process pursuant to section 171-58, Hawaii Revised Statutes, which requires among other conditions, prior authorization of the Legislature by concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 163, H.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,

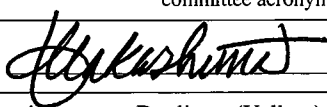

for MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

H SCR 1627

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HCR 163 HD1	Committee Referral: WAL, JHA	Date: 3/29/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	X			
2. MATAYOSHI, Scot Z. (VC)	X			
3. ICHIYAMA, Linda	X			
4. KOBAYASHI, Dale T.	X			
5. LoPRESTI, Matthew S.				X
6. LOWEN, Nicole E.	X			
7. McKELVEY, Angus L.K.	X			
8. NAKAMURA, Nadine K.				X
9. TAKUMI, Roy M.	X			
10. TODD, Chris	X			
11. TOKIOKA, James Kunane	X			
12. WARD, Gene	X			
TOTAL (12)	10	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				