

STAND. COM. REP. NO.

1649

Honolulu, Hawaii

APR 07

, 2021

RE: S.C.R. No. 22
S.D. 1
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 Water & Land, to which was referred S.C.R. No. 22, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION ENCOURAGING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO A LONG-TERM WATER LEASE WITH WAI'OLI VALLEY TARO HUI FOR TRADITIONAL LO'I KALO CULTIVATION IN WAI'OLI, KAUA'I,"

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 review process outlined in chapter 343, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Mayor of the County of Kauai, one member of the Kauai County Council, Wai'oli Valley Taro Hui, Sierra Club of Hawai'i, Hanalei Watershed Hui, Hanalei Hawaiian Civic Club, National Tropical Botanical Garden, Hawai'i Land Trust, and numerous individuals.

2021-3010 SCR22 HD1 HSCR HMSO



Your Committee finds that the Hanalei and Wai'oli valleys produce nearly two-thirds of Hawaii's kalo. Unprecedented flooding in 2018 left many kalo farmers in Wai'oli Valley with damaged or altered water infrastructure, and recent flooding and a landslide have exacerbated challenges with growing, tending, and transporting kalo and supplies. Your Committee further finds that the ancient, Native Hawaiian water use for kalo cultivation by the Wai'oli Valley Taro Hui is non-consumptive, non-polluting, instream, and in-watershed and appropriate for a long-term water lease via direct negotiation.

Your Committee finds that the companion to this measure, H.C.R. No. 163, H.D. 1 (Regular Session of 2021), a substantially similar measure, was previously passed by the House.

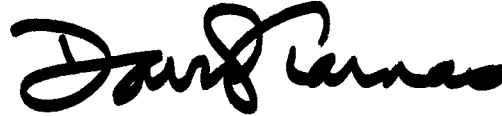
Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.C.R. No. 163, H.D. 1, a measure that requests the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for its existing use of water from Wai'oli Stream via direct negotiation, upon completion of the requirements of chapter 343, Hawaii Revised Statutes;
- (2) Amending its title to read, "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."; and
- (3) Modifying the list of recipients to whom copies of this measure will be transmitted.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 22, S.D. 1, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



DAVID A. TARNAS, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 1649

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: SCR22, SD1		Committee Referral: WAL, FIN		Date: 4/10/21	
<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 checked="" 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)					
WAL Members	Ayes	Ayes (WR)	Nays	Excused	
1. TARNAS, David A. (C)	✓				
2. BRANCO, Patrick Pihana (VC)	✓				
3. GANADEN, Sonny	✓				
4. KOBAYASHI, Bertrand	✓				
5. KONG, Sam Satoru	✓				
6. MORIKAWA, Dee	✓				
7. OHNO, Takashi				✓	
8. McDERMOTT, Bob	✓				
TOTAL (8)	7			1	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="margin-left: 100px;">committee acronym(s)</div>					
Vice Chair's or designee's signature: <u>David Tarnas</u>					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					