STAND. COM. REP. NO. 1737

Honolulu, Hawaii

APR 1 3 2021

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

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Water and Land, 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 and intent 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, Office of Hawaiian Affairs, Wai'oli Valley Taro Hui, Hanalei Watershed Hui, National Tropical Botanical Garden, one member of the Kaua'i County Council, and twenty-four individuals.

Your Committee finds that the Wai'oli Valley Taro Hui (Hui) has been working diligently to maintain and perpetuate the historic mānowai (traditional instream diversion structure) and 'auwai (irrigation ditch) in Wai'oli, Kaua'i and its finite natural



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and cultural resources. Your Committee further finds that subjecting the Hui to competition at a public auction for a water lease is concerning, due to their limited financial resources. This measure would allow the Hui to negotiate directly with the Board of Land and Natural Resources for a water lease that would promote its traditional practice of lo'i kalo (taro cultivation) and expand community-based, cultural and agricultural education.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 163, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary, in the form attached hereto as H.C.R. No. 163, H.D. 1, S.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Water and Land,

JORRAINE R. INOUYE, Chair



The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee			Date:	
HCR 163, HD 1	WTL	, JDL	4	4-9-2021	
The Committee is reconsidering its previous decision on this measure.					
The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)		\checkmark			
KEITH-AGARAN, Gilbert S.C. (VC)					
MISALUCHA, Bennette E.					
RIVIERE, Gil					
FEVELLA, Kurt		V			
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TOTAL		4			
Recommendation:					
Chair's or Designee's Signature: Bennetta Je . Mintuch					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes