STAND. COM. REP. NO. 1626

Honolulu, Hawaii

MAR 31 , 2021

H.R. No. 139 RE: 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.R. No. 139, H.D. 1, entitled:

"HOUSE 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



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.R. No. 139, H.D. 1, and recommends its adoption.

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

MARK M. NA

## State of Hawaii House of Representatives The Thirty-first Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: Committee HR 139 HD1 WA	Referral: Date: 3/29/2021			
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  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)	×			
2. MATAYOSHI, Scot Z. (VC)	×			
3. ICHIYAMA, Linda	X			
			<u></u>	
4. KOBAYASHI, Dale T.				
5. LoPRESTI, Matthew S.			##\$61.828.61.50359.61	×
5. Lor RES11, Maunew 5.				
6. LOWEN, Nicole E.	×			
7. McKELVEY, Angus L.K.	X			omen, die t. Nee f. Asimo S. e.a. En of die Wiesell
8. NAKAMURA, Nadine K.	-			×
9. TAKUMI, Roy M.	×			
10. TODD, Chris	X		of	
			And the second s	
11. TOKIOKA, James Kunane				
12. WARD, Gene				
12. WARD, Gene				
-				
TOTAL (12)	10	0	U	2
The recommendation is:  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				