

FEB 03 2021

SENATE RESOLUTION

SUPPORTING THE WAI'OLI VALLEY TARO HUI AND TRADITIONAL LO'I KALO
CULTIVATION IN WAI'OLI, KAUA'I.

1 WHEREAS, for Hawai'i's people, culture, and resources, ola i
2 ka wai (water is life); and
3

4 WHEREAS, the traditional practice of lo'i kalo (irrigated
5 taro terraces) connecting flowing water to kalo (taro) fields
6 has been thriving in Wai'oli Valley, Kaua'i since time immemorial
7 and dates back to at least the fifteenth century; and
8

9 WHEREAS, Wai'oli Stream is one of only six streams
10 throughout the Hawaiian archipelago that the Hawai'i Stream
11 Assessment identified as having traditionally supported more
12 than fifty acres of kalo cultivation; and
13

14 WHEREAS, the water that flows through Wai'oli's ancient
15 system is a lifeway that supports kalo cultivation traditions
16 and perpetuates the native Hawaiian living culture while feeding
17 the community and preparing the next generation to carry on this
18 vital practice; and
19

20 WHEREAS, for over a century, the kalo farmers of the Wai'oli
21 Valley Taro Hui have collaborated informally to steward and
22 maintain Wai'oli Valley's natural resources, cultural lifeways,
23 and community identity reliant upon those resources; and
24

25 WHEREAS, the unprecedented floods of 2018 destroyed the
26 historic mānowai (traditional instream diversion structures) and
27 severely damaged the 'auwai (irrigation ditch) in Wai'oli,
28 thereby impacting water flow to ancient lo'i kalo; and
29

30 WHEREAS, the destruction of these mānowai and 'auwai and
31 resulting decreased water flow to lo'i kalo have reduced the
32 Wai'oli Valley Taro Hui's ability to restore its fields and feed
33 its community; and
34



S.R. NO. 11

1 WHEREAS, on April 15, 2018, in response to the occurrence
2 of a severe, sudden, and extraordinary event of heavy rains and
3 flooding that caused damages, losses, and suffering of such
4 character and magnitude to affect the health, welfare, and
5 living conditions of a substantial number of persons, both the
6 Governor and Mayor of Kaua'i County issued emergency
7 proclamations proclaiming Kaua'i County to be a disaster area;
8 and
9

10 WHEREAS, the Legislature appropriated funds for disaster
11 recovery efforts in Kaua'i via Act 12 (2018) and 35 (2019),
12 including the repair of the Wai'oli Valley Taro Hui's mānowai and
13 'auwai; and
14

15 WHEREAS, during the course of disaster recovery and repair
16 efforts, the Wai'oli Valley Taro Hui was informed that its
17 traditional lo'i kalo irrigation system, including the mānowai
18 and 'auwai were located on state conservation land; and
19

20 WHEREAS, the Wai'oli Valley Taro Hui has worked closely with
21 the State and Kaua'i County to understand and pursue the
22 appropriate entitlements and exemptions to ensure the long-term
23 viability of lo'i kalo cultivation in a traditional manner in
24 Wai'oli Valley; and
25

26 WHEREAS, the Board of Land and Natural Resources
27 unanimously approved a perpetual easement for the Wai'oli Valley
28 Taro Hui to continue to utilize and maintain its traditional lo'i
29 kalo irrigation system, including the mānowai and 'auwai; and
30

31 WHEREAS, this approval represents the first co-management
32 model of natural and cultural terrestrial resources between a
33 community group and the Board of Land and Natural Resources; and
34

35 WHEREAS, the Wai'oli Valley Taro Hui seeks to continue to
36 steward this traditional system and practice through the modern
37 legal system and pursue a long-term water lease from the Board
38 of Land and Natural Resources; and
39



S.R. NO. 11

1 WHEREAS, lo'i kalo cultivation in a traditional manner
2 continues to create opportunities for community-based cultural
3 and agricultural education while providing vital environmental
4 benefits, such as flood mitigation, groundwater recharge, and
5 preserving native habitat for endangered and threatened water
6 birds; and
7

8 WHEREAS, lo'i kalo cultivation advances food security and
9 builds community and cultural resilience in the face of the
10 rising costs of imported food for local families; and
11

12 WHEREAS, the continuation of lo'i kalo cultivation in
13 Wai'oli Valley will not succeed without a long-term water lease
14 from the Board of Land and Natural Resources; and
15

16 WHEREAS, a water lease to the Wai'oli Valley Taro Hui honors
17 and supports appurtenant, riparian, and traditional and
18 customary native Hawaiian practices; and
19

20 WHEREAS, article XII, section 7 of the Hawaii State
21 Constitution mandates the State to protect the traditional and
22 customary practices of native Hawaiians, such as those
23 perpetuated by Wai'oli Valley Taro Hui members; and
24

25 WHEREAS, section 171-58(c), Hawaii Revised Statutes,
26 requires users of state-regulated water to create a watershed
27 management plan with the Department of Land and Natural
28 Resources, do an environmental impact study, or environmental
29 assessment, and apply for a lease; and
30

31 WHEREAS, an environmental assessment of the Wai'oli Valley
32 Taro Hui's continued cultivation of lo'i kalo in a traditional
33 manner is in progress and will be published for a public comment
34 period; and
35

36 WHEREAS, the Office of Conservation and Coastal Lands did
37 not require a conservation district use permit given that its
38 use is "existing" because it preceded the State and its creation
39 of conservation districts or related use permits; and
40



S.R. NO. 11

1 WHEREAS, the lo'i kalo cultivation in Wai'oli Valley uses
2 water in a nonpolluting way; and
3

4 WHEREAS, the water that flows through the lo'i kalo is
5 nonconsumptive as it is returned to the same watersheds of
6 origin and recharges related ground and surface water sources,
7 including Wai'oli Stream and Hanalei River; and
8

9 WHEREAS, in November 2020, pursuant to section 171-58(e),
10 Hawaii Revised Statutes, the Department of Hawaiian Home Lands
11 consulted with affected beneficiaries and did not request
12 reservation of water from Wai'oli Stream; and
13

14 WHEREAS, a long-term water lease will help the Wai'oli
15 Valley Taro Hui to recover and thrive again after the 2018
16 floods and perpetuate lo'i kalo cultivation as its spiritual
17 foundation, culture, and lifeway into the future - make nō ke
18 kalo a ola i ka palili (the taro may die, but lives on in the
19 young plants that it produces); now, therefore,
20

21 BE IT RESOLVED by the Senate of the Thirty-first
22 Legislature of the State of Hawaii, Regular Session of 2021,
23 that the Board of Land and Natural Resources is encouraged to
24 enter into a long-term water lease with the Wai'oli Valley Taro
25 Hui for its existing use of water from Wai'oli Stream via direct
26 negotiation upon the completion of the environmental review
27 process outlined in chapter 343, Hawaii Revised Statutes; and
28

29 BE IT FURTHER RESOLVED that this body continues to support
30 the traditional and customary practices of kalo cultivation by
31 the Wai'oli Valley Taro Hui in Wai'oli, Kaua'i; and
32

33 BE IT FURTHER RESOLVED that certified copies of this
34 Resolution be transmitted to the Governor and Chairperson of the
35 Board of Land and Natural Resources.
36
37
38

OFFERED BY: 
By Request

