

STAND. COM. REP. NO.

1594

Honolulu, Hawaii

MAR 24 , 2023

RE: S.B. No. 1498
S.D. 1
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 1498, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PROTECTION OF TARO,"

begs leave to report as follows:

The purpose of this measure is to improve protections for wetland taro lands and ancient wetland agricultural structures on undeveloped state-owned or -acquired lands.

Your Committee received testimony in support of this measure from the Land Use Commission, Wild Kids, Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Hawai'i Food+ Policy, and three individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that there is a compelling state interest in conserving state agricultural lands. Your Committee further finds that Act 211, Session Laws of Hawaii 2008, as amended by Act 196, Session Laws of Hawaii 2010, established a Taro Security and Purity Task Force (Task Force). As part of its duties, the Task Force was responsible for developing guidelines, protocols, and recommendations for taro policy. In 2009, the Task Force recommended improved protections for taro-growing lands,

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including loi (wet fields and terraces), mala (dry fields and terraces), kuana or paepae pohaku (stone walls), and auwai (irrigation ditches). The Task Force also found that these key structural elements for viable wetland taro production were being destroyed, severed, and built upon by private and public development due to gaps in land use, historic preservation, and planning laws and policies. This measure seeks to fill in those gaps to support taro farmers and ensure the continued cultivation of taro in Hawaii.

Your Committee has amended this measure by:

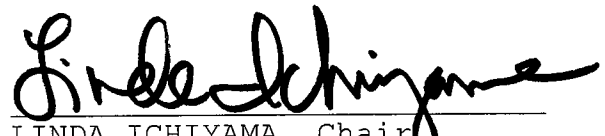
- (1) Including lands in dryland taro cultivation and certain lands that retain structural evidence of mala within the protections proposed by this measure and amending the definition of "taro land" accordingly;
- (2) Clarifying that the protections proposed by this measure apply to lands and infrastructure used in wetland or dryland taro cultivation before statehood or currently in use for taro cultivation;
- (3) Deleting references to the high productivity determination of certain lands;
- (4) Requiring, instead of authorizing, the Land Use Commission to create an inventory of taro lands, pursuant to chapter 91, Hawaii Revised Statutes, and submit the inventory to the Board of Land and Natural Resources for approval;
- (5) Appropriating an unspecified amount for one full-time equivalent (1.0 FTE) geographic information systems specialist position in the Land Use Commission; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to consider an appropriation amount of \$40,000 for the geographic information systems specialist position in the Land Use Commission.



As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1498, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1498, S.D. 1, H.D. 2.

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


LINDA ICHIYAMA, Chair



