

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson  
Board of Agriculture & Biosecurity

**DEAN M. MATSUKAWA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE & BIOSECURITY**  
KA 'OIHANA MAHI'AI A KIA'I MEAOLA  
1428 South King Street  
Honolulu, Hawai'i 96814-2512  
Phone: (808) 973-9560 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD  
CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY**

**BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT  
AND WATER, LAND, CULTURE AND THE ARTS**

**WEDNESDAY, FEBRUARY 11, 2026  
3:00 AM  
CONFERENCE ROOM 325**

**SENATE BILL NO. 2310  
RELATING TO NATURAL RESOURCES**

Chairs Gabbard and Lee, Vice Chairs Richards and Inouye Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 2310. This bill appropriates funds for the removal of overgrown vegetation from the Kainahola Stream on Kaua'i. The Department supports the intent and respectfully offers comments.

The Department complied with the court orders entered in the civil case cited in the bill by thoroughly clearing the portion of Kainahola Stream located on land managed by the Department in 2024. Since then, the Department has leased the land and the tenant has been keeping up with required maintenance. A segment of the stream extending from the makai boundary of the Department-managed property downslope to the Kapa'a Bypass Road was not cleared. That segment of the stream is located on property the Department believes is managed by the Department of Transportation, Highways Division (DOT-Highways), designated as Tax Map Key: (4) 4-3-004:008 (Parcel 8).

When Kainahola Stream reaches the Kapaa Bypass Road, it passes under a DOT-Highways bridge before continuing on to the sea. If the intent of the measure is to address overgrown vegetation on Parcel 8, the Department respectfully suggests that funds be appropriated to the agency managing the land, which, as noted above, is DOT-Highways.

Thank you for the opportunity to testify on this measure.

**KURT R. BOSSHARD**

ATTORNEY AT LAW  
3144 ELUA STREET  
LIHUE, HAWAII 96766  
TELEPHONE: 808-245-5302  
FAX: 808-245-8929  
EMAIL: [kurt@kbosshard.com](mailto:kurt@kbosshard.com)

February 10, 2026

Bill #SB2310 Relating to Natural Resources  
DAB; Kainahola Stream; Appropriation (\$)

Dear Committee chairs and members,

Thank you for considering this letter in support of the passage of SB2310. For many reasons well known to your body, the significance of the free flow of Hawaii's stream water is at the fore of public discussion and through this Bill accomplishes public action. The lands adjacent to Kainahola Stream have provided a "breadbasket" for Kauai's East side. Its waters have provided sustenance to its kuleana owners and other native farmers who did not receive the benefit of kuleana ownership. Significant efforts/strides to restore the acreage along the stream are ongoing. Due to the Legislature's prior support and the Department of Agriculture's obtaining the best "bang for the buck", a hau bush wasteland has begun returning to the historic cultivation of taro and other farm products. A final funding to the Department of Agriculture from the State Legislature is necessary in order to remove the last significant stand of the vegetative obstruction adjacent to the Kapaa Bypass Bridge. Without this funding, the Kapaa Bypass Bridge is at risk of failure from mauka flooding. And, without this funding the significant prior work that has been done by the Department of Agriculture and others will be set back.

Leaving aside the fact that the Kauai Circuit Court has already ordered the State to clean Kainahola Stream of this obstruction, there is overwhelming public support of funding for projects that will provide immediate opportunity for those who wish to farm kalo and other crops as well as furthering public safety/transportation by removing the threat to the adjacent downstream Kainahola Bridge which due to vegetative obstruction presently faces the same extreme threat of flood damage as the nearby badly damaged Wailua River Bridge. The ongoing efforts to repair Wailua Bridge strongly reminds us that "an ounce of prevention is worth a pound of cure".

Sincerely,



KURT BOSSHARD

KB:rsnh