

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, April 7, 2015
2:30PM
State Capitol, Room 308**

**In consideration of
SENATE BILL 774, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO THE PROTECTION OF TARO**

Senate Bill 774, Senate Draft 1, House Draft 1 proposes to require the Board of Land and Natural Resources (“Board”) to create an inventory of taro lands, in conjunction with the Taro Security and Purity Task Force (“Task Force”). **The Department of Land and Natural Resources (“Department”) opposes this version of the measure.**

This measure has been revised significantly from its prior versions. The Department opposes the changes made. Further, through discussions with the Task Force and the Office of Hawaiian Affairs, the Department understands that the creation of an inventory of public lands that qualify as potential taro lands is not a high priority issue, as providing for the protection of taro lands would provide a more significant benefit to the taro community. Foremost, the measure would require the considerable expenditure of public funds and staff resources without resulting in any measureable protection for taro lands. Furthermore, due to the significant monetary and time costs needed for this inventory, the Department is concerned that the inventory could not be completed prior to the start of the 2016 regular session.

More importantly, the prior version (Senate Draft 1) of this measure is a higher priority for the taro community and would provide a significant benefit for the protection or preservation of taro lands for future generations. The prior version gave the Board the authority to classify public lands located in the conservation district as taro lands. The measure also prohibited any designated taro lands from district boundary amendment, providing a measure of protection for these lands through a public, sun-shined process via Board action. The measure received widespread support from the Department, the Task Force and numerous other parties, and passed through the Senate Agriculture,

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Water and Land, and Ways and Means Committees, as well as the House Agriculture Committee. The Department supports the Senate Draft 1 version of this measure.



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Leimana DaMate
Executive Director – Aha Moku Advisory Committee

Before the House Committee on
Finance

Tuesday, April 7, 2015
2:30 P.M.
State Capitol, Conference Room 308

**In SUPPORT of
Senate Bill 774 S.D. 1, H.D. 1
Relating to the Protection of Taro**

Senate Bill 774 SD1 HD1 requires the Board of Land and Natural Resources (BLNR) to create an inventory of taro lands, in conjunction with the Taro Security and Purity Task Force. It also appropriates funds.

From the very beginning, the Native Hawaiian kanaka maoli have depended upon taro as one of their staple foods. The *mahiai*, or farmers, from ancient times to the present have continued to grow and harvest taro, not only for Native Hawaiian consumers, but for the general public who have grown to depend upon this food as a healthy and necessary staple. However, the demand exceeds the ability to produce especially since this demand is expected to grow as local people move towards greater local food self-sufficiency.

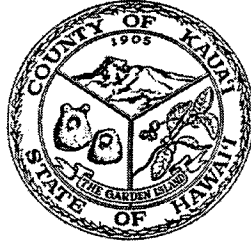
We agree with the Taro Task Force, established under Act 211, who recommended greater protections for wetland taro lands (lo'i) and dry land taro lo'i, including the protection of their structural elements (terraces, stone walls, and irrigation ditches) within the boundaries of the State's public conservation districts to help meet food security needs.

Aha Moku was created by the Legislature through Act 288, Session Laws 2012, to serve as an advisory committee to the Chairman of the Board of Land and Natural Resources on issues related to land and natural resources management through the aha moku system. One of their mandates is to "sustain the State's marine, land, cultural, agricultural, and natural resources" (§171 4-5). The agricultural portion specifically includes taro sustainability. Creating an inventory of taro lands under §171-10 falls within the Aha Moku mandate of protection and sustainability of important agricultural resources.

We support Senate Bill 774 SD1 HD1 and urge its passage.

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

April 6, 2015

**TESTIMONY OF KIPUKAI KUALII
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

SB 774, SD 1, HD 1 RELATING TO THE PROTECTION OF TARO
House Committee on Finance
Tuesday, April 7, 2015
2:30 p.m.
Conference Room 308

Dear Chair Luke and Members of the Committee:

Thank you for this opportunity to submit testimony in support of SB 774, SD 1, HD 1 relating to the protection of taro. My testimony is submitted in my capacity as an individual member of the Kaua'i County Council and as Chair of the Economic Development / Intergovernmental Relations Committee.

Taro plays a critical role in food security for the State, as it is the most culturally significant food plant and is one of the highest yielding staple starch food crops in Hawai'i. The demand for taro is continuing to grow and any effort to encourage locally grown produce supports our goal to become more agriculturally self-sufficient. As the Economic Development / Intergovernmental Relations Committee Chair and as a Native Hawaiian, I support SB 774, SD 1, HD 1 which aims to improve protections for wetland taro lands and ancient wetland agricultural structures on undeveloped state-owned or acquired conservation lands for long-term food security in our islands.

For the reasons stated above, I respectfully ask the House Committee on Finance to approve this measure. Again, thank you for this opportunity to submit my testimony. If you have any questions, please feel free to contact the Office of the County Clerk, Council Services Division, at (808) 241-4188.

Sincerely,

KIPUKAI KUALII

Councilmember, Kaua'i County Council

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 03, 2015 9:10 AM
To: FINTestimony
Cc: mkhan@hawaiiantel.net
Subject: Submitted testimony for SB774 on Apr 7, 2015 14:30PM

SB774

Submitted on: 4/3/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Kalihi Palama Hawaiian Civic Club	Support	No

Comments: The Kalihi Palama Hawaiian Civic Club supports SB774, SD1, HD1 Relating to the Protection of Taro, that creates a classification of agricultural public lands entitled "taro lands" and appropriates funds to the board of land and natural resources to create an inventory of lands classified as taro lands. We appreciate this measure that would eventually provide opportunity to increase local production of taro, contribute to food sustainability, contribute to the economy, and most importantly, hopefully bring down the cost of taro to the consumer as this is a daily staple starch for many. Kindly urge the Finance Committee to support SB74, SD1, HD1.

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Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

HOUSE COMMITTEE ON FINANCE

SB774SD1HD1 RELATING TO THE PROTECTION OF TARO

Tuesday; 4/7/15; 2:30 p.m.; Room 308

Aloha Chairperson Luke, Vice Chair Nishimoto and members of the House Committee on Finance. The Association of Hawaiian Civic Clubs supports this bill that would set aside “taro lands” under a special classification by first developing an inventory of current taro lands. This bill is long overdue but thank goodness it is here to protect taro lands before they disappear.

Taro, with all of its cultural and spiritual history, is also a very practical and useful food plant where nothing is wasted – from leaf to corm, all is utilized. The peelings, create valuable compost. The huli is the seedling to grow more taro. The poi and corm, to nourish the people.

It seems that daily new recipes and marketable taro products are being developed and sold on the open market. The greater community is beginning to discover what the kupuna learned long ago...taro is delicious and highly nutritious. So there are serious economic reasons to protect taro.

Preserve the old lo`i and bring them back to life so taro lives on in future generations just as the Hawaiian language has taken on new life. Other bills now in the legislature are attempting to bring back Hawaiian fishponds, and the OHA legislative package speaks of native Hawaiian plants in small scale farming. So there is hope of cultural food sustainability within the larger framework of food sustainability in general for Hawaii. We hope that you will appropriate the funding that makes this work meaningful.

Thank you for the opportunity to support SB774 SD1, HD1.

Contact: Jalna.keala2@hawaiiantel.net

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 03, 2015 6:45 AM
To: FINTestimony
Cc: robertl@oha.org
Subject: *Submitted testimony for SB774 on Apr 7, 2015 14:30PM*

SB774

Submitted on: 4/3/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Robert K. Lindsey, Jr.	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 03, 2015 7:04 PM
To: FINTestimony
Cc: pamelaboyar@gmail.com
Subject: *Submitted testimony for SB774 on Apr 7, 2015 14:30PM*

SB774

Submitted on: 4/3/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Boyar	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 03, 2015 6:41 AM
To: FINTestimony
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for SB774 on Apr 7, 2015 14:30PM*

SB774

Submitted on: 4/3/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kama Hopkins	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 06, 2015 9:25 AM
To: FINTestimony
Cc: al@makaha.us
Subject: Submitted testimony for SB774 on Apr 7, 2015 14:30PM

SB774

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
AL Frenzel	Individual	Support	No

Comments: Protection of historic and legacy taro lands is critical to the protection of Hawaiian culture and ensuring enough lands remain available for taro production.

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FIN-Jo

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 06, 2015 10:03 PM
To: FINTestimony
Cc: darakawa@lurf.org
Subject: Submitted testimony for SB774 on Apr 7, 2015 14:30PM



SB774

Submitted on: 4/6/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
David Z. Arakawa	Land Use Research Foundation of Hawaii	Support	No

Comments: The Land Use Research Foundation of Hawaii SUPPORTS SB 774, SD1, HD1, relating to the PROTECTION OF TARO, which requires the Board of Land and Natural Resources to create an inventory of taro lands, in conjunction with the Taro Security and Purity Task Force; and Appropriates funds for that purpose. (SB 774, SD1, HD1)

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LATE

SB774 SD1 HD1
RELATING TO THE PROTECTION OF TARO
House Committee on Finance

April 7, 2015

2:30 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SB774 SD1 HD1, which asks the Board of Land and Natural Resources, in conjunction with the Taro Security and Purity Task Force (Taro Task Force), to create an inventory identifying public lands that qualify as potential taro lands, and to report its findings and recommendations to the legislature before the regular session of 2016.

OHA notes that the previous draft of this bill, SB774 SD1, seeks to classify and protect undeveloped, historic “taro lands” and infrastructure on public lands within the state land use conservation district. In their 2010 report to the Legislature, the Taro Task Force’s primary recommendation was for the state to take an active role in remedying the severe reduction in the amount of and access to kalo-growing lands. **The Taro Task Force found that rapid development in the last 20 years has led to a catastrophic loss of lands with the unique set of natural conditions necessary for kalo growth, and to the dismantling of ancient structures most efficient for fostering thriving kalo production.** Recognizing the importance of these lands and structures would help to ensure that they remain available to support our present and future kalo needs, and may facilitate our return to a more traditional, self-sufficient, and sustainable model of local food production.

By creating an inventory of taro lands, SB774 SD1 HD1 may serve as an important initial step to protect the limited areas in the state that are appropriate for wetland kalo cultivation. The inventory mandated by this bill could provide additional data to support the policy changes recommended by the Taro Task Force, which includes the protection of land with the unique conditions that support kalo cultivation.

Mahalo for the opportunity to testify on this important measure.

Testimony of
TARO SECURITY AND PURITY TASK FORCE

LATE

MARK ALAPAKI LUKE
Chair

Before the House Committee on
FINANCE

Tuesday, April 7, 2015, 2:30PM
State Capitol, Conference Room 308

In consideration of
SENATE BILL 774 SD1 HD1
RELATING TO THE PROTECTION OF TARO

Senate Bill 774 SD1 HD1 requires the Board of Land and Natural Resources to create an inventory of taro lands, in conjunction with the Taro Security and Purity Task Force, and appropriates funds. **The Taro Security and Purity Task Force strongly supports this bill with amendments.**

The Taro Security and Purity Task Force was created by the legislature under Act 211 in 2008 specifically to guide policy and research related to taro and taro farming, as well as to support the vitality, economic viability and perpetuation of taro and taro farming in the state. In bringing this bill to the legislature we are fulfilling a portion of the kuleana that this body was tasked with under Act 211.

The Task Force's 2010 report to the legislature was the result of a yearlong community consultation and included 89 recommendations across seven key issues. Legislators received an update on task force progress in relation to the recommendations of that report at the start of the 2014 legislative session. Access to affordable lands to grow taro was of significant importance to young taro growers and organizations looking to create resilient options for food security in their communities as well as mentoring programs that develop new farmers. This represents a different sector than that of large acreage commercial taro growers. *Taro plays a significant role in addressing the need for staple starch production in Hawai'i at a time when we are dependent on 85 percent of our food imported from outside Hawai'i.*

To support the original intent of this measure, the task force recommends that the language from SB774 SD1 be added to the bill in its current form. The Senate draft language creates a definition of "taro lands" as wetland taro lands in production prior to statehood, and adds a fourth class taro lands to the list of classes of intensive agricultural use lands the Department of Land and Natural Resources under HRS171-10. This language also eliminates the need for a district boundary amendment for lands designated as fourth-class taro lands. The language in SB774 SD1 HD1 requiring an inventory and appropriating funds would remain in tact.

The task force has worked closely with the Department of Land and Natural Resources and the Department of Agriculture over the past three years to refine the language of SB774 and address concerns relating to the broadness of applicability of the proposed legislation in its Senate draft form. HRS171 is specific to Public Lands. *This bill, with the proposed amendments, would not prevent or inhibit a private landowner from the sale or development of their private property to a private buyer, nor would it impact existing developed state-owned properties.*

The fourth class of taro lands would be specifically and only for undeveloped, unencumbered wetland taro growing systems on state (public) lands. These sites represent important traditional agricultural resources and features, centers for cultural practice, and places of tremendous food productivity. They are typically small in size, with clay soils prone to flooding, and fall within allowable uses of Conservation and Agriculture zones on public lands under HRS13-5. While taro lands have the potential to be designated as important agricultural lands (IAL), HRS 205-49.3 explicitly excludes “lands held in the conservation district” from the process of designation and adoption of IAL maps by the Land Use Commission.

The task force finds that existing commercial and subsistence wetland taro farms are approximately 500-600 acres, less than one percent of all lands in agriculture. An estimated 30,000 acres of taro lands are needed to grow sufficient taro to feed Hawai‘i’s 1.3 million people, as just one portion of a basic set of starch crops necessary for residents’ wellbeing over the course of a single year. The state imports an estimated 2 million pounds of taro from other countries annually, to supplement the 4 million pounds grown in the islands, placing Hawaii and taro growers at high risk from invasive pests and pathogens not currently found within the state. The gap between existing and projected acreage, the narrow range of characteristics required for wetland taro production, the rapid loss of such lands to other uses in the private sector, and the rising cost of land and leases in the private sector necessitates the protection of such sites on public lands.

The Island of O‘ahu is dependent on the neighbor islands as its source of raw taro in the production of poi. An estimated 30 acres of commercial taro is currently recorded for an island with a population of almost 1 million residents. In the event of environmental disasters, such as floods or hurricanes on Kaua‘i, or earthquakes that disrupt large portions of O‘ahu, the island will suffer from extreme taro and poi shortages. Even the lowest estimates for sea level rise indicate that lowland areas like Hanalei, Kaua‘i, Ke‘anae-Wailuanui, Maui, Hālawā, Moloka‘i and Waipi‘o, Hawai‘i Island will be inundated with brackish water unsuitable for kalo production. The road to districts such as the taro-producing region of Windward, O‘ahu will be cut off from Honolulu. Having mauka wetland taro sites in each conservation district protected now for cultivation in the future will help ensure future food security in the midst of climate change. *Adoption of SB774, with the proposed amendments, represents a foresighted and critical first step by*

Contact: Emily Kandagawa, Taro Task Force Coordinator (808) 754-7395 or tsptfhi@gmail.com

the legislature in sea-level rise planning for our most vulnerable food-producing lands.

There is a growing interest in taro farming, as well as the traditional Hawaiian taro cultivars, as indicated by the more than 200 signatures gathered by the taro task force from potential new farmers, and the distribution of almost a million huli (taro planting stock) of 40 traditional taro varieties since 2013. Many of these varieties are best suited to mid-elevation, cooler lo'i sites that are found on Conservation zoned lands under DLNR jurisdiction. With additional growth in the demand for high-quality raw taro, particularly the hand-pounding pa'i 'ai market, along with value-added taro products is evidence of an untapped economic potential that this diversifying taro industry represents and is in need of support. *The passage of this bill, with amendments, will create opportunities for small-scale and subsistence farmers to earn a living growing kalo and contribute to the health and well-being of their communities.*

In addition, the task force notes that lo'i kalo retains wetland soil characteristics, whether they are active or have long been fallowed. The physical geographic character of such sites is a primary indicator for existing flooding and future flood potential. Functioning taro lands are known to assist in the absorption and control of floodwaters as well as runoff. The high costs of flood mitigation for the state and all counties are well documented. This includes where groundwater levels rise quickly and persistently in lowland areas, as the State and County have learned in such areas as the Mapunapuna industrial district, or where topography indicates locations are collection points for upstream surface water flows such as Mānoa, Pālolo, Kuli'ou'ou, and Punalu'u – all former lo'i kalo lands. The instability of wetland clay soils translates to increased costs and higher risks for long-term structural integrity. *With amendments, SB774 would provide state agencies with a measure of liability protection by prohibiting the development of such lands for other purposes.*

Relieving the State and the Counties of the expense and staff time involved in the boundary amendment process under HRS-171, where fourth-class taro lands designations are applied, is prudent. It prevents abuse of the application of this new class by requiring that fourth-class lands be specified for wetland taro production. The DLNR retains authority over district boundaries for Conservation zoned lands (Chpt183C).

The task force agrees with the DLNR that existing rules may be sufficient to support the changes in statute created by these amendments. We note that suggestions in the previous legislative session to require attachment of a list of sites to the proposed statute would 1) require immense resources on the part of DLNR; 2) require DLNR to come before the legislature every year to add hundreds of sites to the statute as survey work progresses, a process that would negatively impact staff time and duties already stretched thin by budget cuts, as well as lengthening the proposed statute to the extreme; and 3) fails to recognize that these taro sites are located primarily within state Conservation lands, a zoning category for which DLNR has agency jurisdiction to define use through the HAR process.

We encourage full support from House committee members to re-include the SD1 language and steward this bill forward as a proactive measure in support of family farms and food security in Hawai'i.

Mahalo nui loa

A handwritten signature in black ink, appearing to read "Mark Alapaki Luke", is centered on a light beige rectangular background.

Mark Alapaki Luke, Chair
Taro Security and Purity Task Force



From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, April 07, 2015 11:23 AM
To: FINTestimony
Cc: nwalshjones@aol.com
Subject: Submitted testimony for SB774 on Apr 7, 2015 14:30PM

SB774

Submitted on: 4/7/2015

Testimony for FIN on Apr 7, 2015 14:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Jones	Hydroponics Alternatives LLC	Support	No

Comments: Honorable Finance Committee members, we submit this testimony supporting SB 774, SD1, HD1(HSCR1224) to establish a classification and inventory system for taro lands under the Dept. of Land and Natural Resources. We support the language changes to Section 171-10 of the Hawai'i Revised Statutes in support of this issue. We also support the changes recommended in Standing Committee Report 1224 dated by March 27, 2015 issued by your House Committee on Water and Land. As farmers in Wai`anae, we definitely see the value of identifying those lands currently under taro cultivation or those possessing the ideal characteristics for producing this staple food of the Hawaiian diet. Naturally, such a system would not exist without proper funding. So, we fully support this bill's intention to appropriate funds to the board of land and natural resources in order to identify and classify taro lands. For all of the above reasons, we respectfully urge you to support SB 774, SD1, HD1 (HSCR1224) and pass it out of your committee. Mahalo for this opportunity to present comments supporting this important measure.

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