

Honolulu, Hawaii
MAR 03 , 2022

RE: H.B. No. 1768
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1768, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE DISPOSITION OF WATER RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to exempt the instream use of water for traditional and customary kalo cultivation practices, as well as for commercial kalo cultivation that is conducted in a manner consistent with traditional and customary Native Hawaiian practices, from the existing process for disposition of water rights.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Hawaiian Home Lands, Mayor of the County of Kauai, one member of the Hawai'i County Council, one member of the Kaua'i County Council, Department of Planning of the County of Kaua'i, Sierra Club of Hawai'i, Kua'aina Ulu 'Auamo, Wai'oli Valley Taro Hui, 'Ahahui o nā Kauka, Hawai'i Alliance for Progressive Action, Waipā Foundation, Hui o Nā Wai 'Ehā, Hanalei Hawaiian Civic Club, Papa Ola Lōkahi, 'Ai Pohaku, Kanaeokana, Council for Native Hawaiian Advancement, and eighteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.



Your Committee finds that kalo is integral to the Hawaiian culture and a staple of the Native Hawaiian diet. Water and water rights are central to wetland kalo cultivation. This measure provides support for traditional and customary kalo cultivation practices by exempting the instream use of water for these practices from the existing process for disposition of water rights.

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 is in accord with the intent and purpose of H.B. No. 1768, H.D. 2, and recommends that it pass Third Reading.

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



MARK M. NAKASHIMA, Chair



