

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
WATER AND LAND**

**Wednesday, February 16, 2022
1:00 P.M.**

State Capitol, Conference Room 229 & Videoconference

**In consideration of
SENATE BILL 2665
RELATING TO THE PROTECTION OF TARO**

Senate Bill 2665 proposes to (1) prohibit the Board of Land and Natural Resources (Board) from disturbing wetland taro lands and infrastructure on undeveloped lands when declaring residential development areas and acquiring lands therein; (2) establish a fourth class--taro lands classification for public lands; (3) permit structures for lo'i taro fields in the agricultural district; establish growth and perpetuation of traditional Hawaiian crops as a goal of the State Planning Act; and (4) authorize the Board, with the Taro Security and Purity Task Force, to create an inventory of taro lands. **The Department of Land and Natural Resources (Department) offers the following comments on and amendments to this bill.**

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The Department respectfully suggests that the measure be amended to require that public lands classified as qualifying taro lands are limited to lands in the Conservation District.

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ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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The Department respectfully suggests that the measure be further amended to require that public lands classified as qualifying taro lands are currently in use for taro cultivation and determined to be of high productivity level making taro cultivation feasible.

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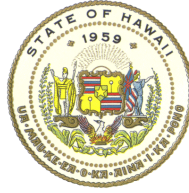
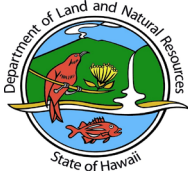
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The bill provides that the Board, in conjunction with the Taro Security Task Force (Task Force), may create an inventory of lands classified as fourth class taro lands. The Department notes that the Land Use Commission may have more expertise and may be the more appropriate agency to work with the Task Force on the inventory function and therefore proposes the following amendment to SECTION 7 of the bill:

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Thank you for the opportunity to comment on this measure.

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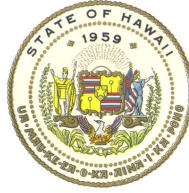
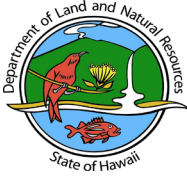
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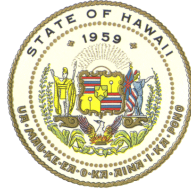
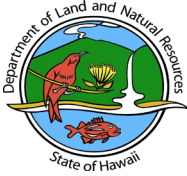
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Thank you for the opportunity to comment on this measure.



Environmental Caucus of The Democratic Party of Hawai'i

To: The Honorable Mike Gabbard, Chair
The Honorable Clarence K. Nishihara, Vice Chair
Senate Committee on Agriculture and Environment

The Honorable Lorraine R. Inouye, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Water and Land

Re: **SB 2665 - RELATING TO THE PROTECTION OF TARO**
Hearing: Wednesday, February 16, 2022, 1:00 p.m., Room 229 & videoconference
Position: **Strong Support**

Aloha, Chairs Gabbard and Inouye, Vice Chairs Nishihara and Keith-Agaran, and Members of the Committee on Agriculture and Environment, and the Committee on Water and Land:

The Environmental Caucus of the Democratic Party of Hawai'i stands in strong support of SB 2665. This measure would prohibit the Board of Land and Natural Resources, in declaring residential development areas and acquiring lands therein, from disturbing wetland taro lands and infrastructure on undeveloped lands. It establishes a fourth class – taro land clarification for public lands. It permits structures for lo'i taro fields in the agricultural district and establishes growth and perpetuation of traditional Hawaiian crops as a goal of the State Planning Act. It authorizes the Board of Land and Natural Resources, with the Taro Security and Purity Task Force, to create an inventory of taro lands.

This measure will improve protections of lo'i kalo and ancient wetland agricultural structures on undeveloped state-owned or -acquired conservation lands for Hawai'i's long-term future food security and well-being.

The new classification designates Taro Lands as Fourth-class lands, having high productivity determination and having cultural, social, economic, and food self-sufficiency value if preserved for wetland taro cultivation.

In our view, this bill is highly beneficial for food security, taro security, and diversity; accordingly, we respectfully request that this bill be passed by your committees.

Mahalo for the opportunity to testify,

Melodie Akuya

Alan A. Burdick

Co-Chairs, Environmental Caucus of the Democratic Party of Hawai'i

SB-2665

Submitted on: 2/15/2022 11:57:27 AM

Testimony for AEN on 2/16/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brian Miyamoto	Testifying for Hawaii Farm Bureau	Support	No

Comments:

The Hawaii Farm Bureau recognizes taro's importance in Hawaii's cultural identity and role in local food security. We support any effort to improve the taro farmer's ability to not only sustain themselves but also to expand their long-term success.

SB-2665

Submitted on: 2/15/2022 1:05:51 PM

Testimony for AEN on 2/16/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nancy & Zeb Jones	Testifying for Hydroponics Alternatives LLC	Support	No

Comments:

SB2665 Relating to the Protection of Taro (Further Protections from Development)

Aloha Senate Chair Gabbard, Senate Vice-Chair Nishihara, Senator Chair Inouye, Senate Vice-Chair Keith-Agaran and Honorable Committee Members:

We submit this testimony in SUPPORT of SB 2665, which relates to further protections for taro/kalo lands. As Hawai`i moves toward greater food security and self-sufficiency, it is vital to further identify and protect lands available for kalo/taro farming. In addition, this dietary staple and nutrient dense crop requires protections from any land reclassification (agricultural to residential/commercial) and development NOT dedicated to wetland and/or dry land kalo/taro cultivation.

As with SB2664, our only suggestion would be to include the Hawaiian language term “kalo” more broadly within the definitions and to include this term by reference in any future drafts of SB2665.

For all of the above reasons, we urge your honorable committees to please pass SB2665 this reading – that more broadly includes the term “kalo.” Mahalo again for this opportunity to present this testimony supporting SB2665.

With warm aloha,

Nancy & Zeb Jones

Cell: 808-228-3450

SB-2665

Submitted on: 2/13/2022 2:11:42 AM

Testimony for AEN on 2/16/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kimeona Kane	Individual	Support	No

Comments:

Aloha Kākou,

Please protect lo‘i kalo for the many generations that have yet to come. We are dependent on these lands, and the water that flows into them, and they must be honored as a way of life. Mahalo for taking a step to correct years of mismanagement by entities and development.

Mahalo nui,
Kimeona Kane

SB-2665

Submitted on: 2/14/2022 6:06:21 AM

Testimony for AEN on 2/16/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Walter Ritte	Individual	Support	No

Comments:

I am in strong support of SB 2665!

Walter Ritte

Aloha;

I am testifying as taro farmer, consumer of kalo and poi, former member of the Taro Security and Purity Task Force, and long-time member of 'Onipa'a Nā Hui Kalo, a recognized statewide organization of taro growers, in strong support for SB2664 and SB2665 Relating to Taro

The bill creates a classification of agricultural public lands entitled "taro lands" and appropriates funds to the Department of Land and Natural Resources to create an inventory of lands classified as taro lands within the public lands inventory. This is the first step to creating a process for DLNR to open up these lands for taro farmers.

The Taro Security and Purity Task Force was the legislative body created in 2008 to provide guidance and recommendations regarding research, policy and the challenges that taro and taro farmers face both now and for the future. In 2009, legislators received a report from the task force outlining key issues and recommendations.

During the development of findings for that report, the task force found that taro lands and ancient agricultural structures such as terraces, walls and 'auwai (irrigation canals) have had a long history of conversion (the removal and reuse of stone for other projects; grubbing and grading; roads, structures and subdivisions built directly on top of terraces and systems) and disruption (the breaking apart of whole systems and interruption of water conveyances across taro lands). They also found that the Hawaii State Historic Preservation Office has had little ability to influence protection of ancient agricultural systems on public and more so, on private lands since statehood.

Taro lands are also valley and gulch lands, many which have clear records of taro production in historic maps, photograph, and written record, and still retain easily discernable walls, terrace and 'auwai structures. These lands are particularly vulnerable, especially in Conservation zoned areas, because of their beauty and are frequently at risk of being reassigned to other allowable uses. Yet, these traditional taro lands have great potential for rehabilitation and food production.

Taro lands are often perceived of by many agencies as prevalent when, in reality, they have become an endangered resource for food self-sufficiency and food security. One of the reasons behind that is the observation that the number of taro farmers today seems small; total acreage in production is approximately 600 acres. At least one recent study indicates the need for approximately 30,000 acres to provide Hawaii's current population of 1.3 million people with taro as one key staple starch for a period of one year. This is roughly equivalent to the number of acres registered as kuleana taro lands (lo'i) in 1940; a time when Hawaii was still food self-sufficient. The Department of Agriculture has also identified starches as the highest at-risk category for food security in the State.

Agencies, and sometimes the general public, have rationalized that additional preservation of taro lands may be unnecessary. They point to existing fallow lands and what appears to be a dearth of commercial taro farmers statewide. Presently, less than 1 percent of the population in Hawaii grows food for local consumption or export. A demand-based rationale for preserving important agricultural lands would fail the test for all crops and all public and private agriculture

lands in Hawaii. The idea that taro lands should be held to a different formula of proof of importance and a demonstrated presence of interested farmers in order to be protected is in conflict with the intent and purpose of land use and agricultural lands protection laws, and has the appearance of prejudice.

Statewide, community efforts to revitalize long fallowed and disrupted taro lands have proven time and again that lands believed to be unfeasible for rehabilitation have been restored to productivity. Expertise in determining the capacity for restoration can be found in the Taro Security and Purity Task Force, as well as well-respected groups such as 'Onipa'a Na Hui Kalo. *If we are planning for our future food sustainability, we must protect the remaining taro lands we have.*

A significant portion of DOE, charter and private schools (K-12), and after school, cultural and community enrichment programs include kalo in curriculum and school gardens. The University of Hawaii is training a new generation of kalo planters throughout its system. There has been exponential growth in the number of youth and young adults learning how to cultivate and produce taro and poi each year. At the opening day of this year's legislature an estimated 1,200 pounds were turned into poi by these youth; more than has been hand pounded at one time in one place since the 1930s. *If we fail to protect existing taro lands, whether long fallowed or currently in use, our responsibility to these students will have failed.*

Traditional Hawaiian crops are also a vitally important part of Hawaiian health, community food security, and rising niche markets in organic and restaurant/hotel sectors. These unique crops play a significant role in visitor industry's images of Hawaii.

Rapid development of the edges of urban boundaries and rural lands on all islands in the last 20 years has allowed for particularly high losses of ancient taro lands on private property. Public lands remain a critically important repository for remaining taro lands. Many valleys on Oahu retain remnant systems that can be brought back to life.

Because lo'i kalo have unique requirements for soils and site conditions, there are rarely substitutions that can be made within the same watershed or valley. On Oahu, ancient taro lands with existing structural elements are some of the most at-risk agricultural lands in the state. A community center, public park, housing or other state proposed project frequently has the option of being developed and able to function on alternative lands; lo'i kalo (wetland taro fields) do not, particularly where ancient structures are still present.

Additionally, taro lands are typically located in riparian areas and low areas prone to flash floods, upwelling groundwater and ponding. Developing anything other than lo'i in these sites represents a significant liability for the County and State, both where developers sue for protection from natural environmental occurrences, and in ongoing costs to government for flood mitigation. Oahu examples abound from Mapunapuna with its annual flooding, to Kulio'o, which cost the State more than \$25 million in damages. *SB2664 and SB2665 will lead to protection for the Counties and the State from potential liability for developing on or permitting development in known riparian and low-lying flood zones that are also taro lands.*

SB2664 does not pass judgment on the merits of other noteworthy public works on public lands. It acknowledges the rarity of taro lands, the limited areas where taro lands remain and the growing importance of their presence for cultural and food sustainability efforts, whether utilized now or protected for future use.

The highest and best use of traditional taro lands that are still viable is to grow taro, whether that means for commercial purposes, subsistence, as a training ground for students, cultural programs and practitioners or as an incubator for future taro farmers.

I strongly support these measures and in addition I offer to work with the Department of Land and Natural Resources and Department of Agriculture to assist in the identification of taro lands.

Mahalo,
Penny Levin