

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

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FIRST DEPUTY

M. KALEO MANUEL
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
JUDICIARY

Thursday, March 2, 2023
9:50 AM

State Capitol, Conference Room 016 & Videoconference

In consideration of
SENATE BILL 735, SENATE DRAFT 1
RELATING TO THE DISPOSITION OF WATER RIGHTS

Senate Bill 735, Senate Draft 1 proposes to establish that the public auction requirements for the disposition of water rights shall not be required for a lease of water for commercial kalo cultivation. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department acknowledges that the water leasing process currently in statute imposes burdensome requirements on water lease applicants, especially smaller agricultural users including taro farmers. The Department supports amending Section 171-58, Hawaii Revised Statutes, to simplify the water leasing process, including providing certain exemptions from regulatory requirements for taro farmers.

Exempting water leases for commercial taro cultivation from public auction as proposed in this measure would reduce the uncertainty for applicants, while allowing oversight by the Board of Land and Natural Resources for the use of the water. Additionally, applicants seeking a water lease would still be required to fulfill other requirements of the water leasing process, including providing a reservation to the Department of Hawaiian Home Lands and collaborating with the Department to develop and implement a watershed management plan.

Mahalo for the opportunity to provide testimony in support of this measure.



Date: Wednesday March 1, 2023
To: Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary (JDC)
From: Hawai'i Youth Food Council
Re: **SUPPORT for SB735**
Hearing: 02/02/2023, Thursday, 9:50 AM

On behalf of the Hawai'i Youth Food Council (HYFC), thank you for the opportunity to testify in support of bill SB735, which gives grant to the instream use of water for kalo on the commercial level when using traditional Hawaiian practices.

This position helps to shift our current systems with kalo planting on a commercial level to our ancestral ways and how we were able to thrive as a Hawaiian community to support all the different things that kalo are used for. Not only does this bill help to revert back to traditional Hawaiian customs but narrows down the amount of waste that is produced. This bill furthermore supports the mission that is HYFC.

The 'Āina has constantly played a part in Hawaii's economic sustainability as well as the influence of culture on everybody that lives in Hawai'i. The land holds our history and everything that is important to us currently. To this day kalo is a significant staple crop to the people of Hawai'i for its nutritional density and cultural properties. When producing kalo on a commercial level, it is vital to have consistent access to water because of the way kalo is produced. Through Bill SB735, this allows for producers of kalo to thrive and provide a stable source of this important staple crop.

This bill plays a huge importance in lots of ways and is necessary to the well being of commercial kalo systems. There are many different benefits to having this bill incorporated into our systems. It allows for more cultural connection within our changing world, and is a possible place to learn as well as teach more about our history. When investing in kalo planting on a commercial level, this bill proves that there is much importance to staying consistent with Hawaiian practices, and supports a stable economy.

The **Hawai'i Youth Food Council** is a program of the Hawai'i Farm to School Hui and Hawai'i Public Health Institute, and includes students from public, charter and independent high schools across Hawai'i. The council was established in 2020 to engage and empower youth in the process of rewriting the present narrative of Hawaii's food system. Members identify and address systemic issues that exist throughout various dimensions of the food chain to promote community participation in the formation of resilient, equitable local food economies.

Thank you very much for your support of garden-based learning for all students. We respectfully request that you please pass this bill.

Sincerely,

Gigi Kiyabu, Mid Pacific Institute
Kaylie Hirayama, Hawaii Preparatory Academy
Jaden Joy Rosabia, Kealakehe High School
Tyler Levine, Oak Meadows Homeschool
Vinnerie Conner, Kea'au High School
Shania Wilson, Mililani High School

SB-735-SD-1

Submitted on: 3/1/2023 9:56:16 PM

Testimony for JDC on 3/2/2023 9:50:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| james pirtle | Individual | Oppose | Written Testimony Only |

Comments:

I can see the state attempting to control all the water rights. That is wrong and unconstitutional. I oppose this Bill.