June 18, 2021

Ms. Puanaionaona Thoene
Chairperson
Environmental Council
Hawai‘i State Office of Environmental Quality Control
235 S.Beretania St., Suite 702
Honolulu, HI 96813

Dear Ms. Thoene:

I transmit herewith a copy of Senate Resolution No. 37, which was adopted by the Senate of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.

Sincerely,

CAROL TANIGUCHI
Clerk of the Senate

Enclosure
SENATE RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT
ADMINISTRATIVE RULES TO STREAMLINE THE PROCESS FOR ALLOWING
TRADITIONAL HAWAIIAN FARMING SYSTEMS ON CONSERVATION LANDS,

WHEREAS, the State enacted Act 31, Session Laws of Hawaii
2015, which encouraged the growth and development of traditional
Hawaiian farming systems and traditional native Hawaiian crops,
as well as small-scale farm to meet the agricultural objectives
of the State; and

WHEREAS, the rights of native Hawaiians to the preservation
of resources and traditional and customary rights is firmly
established in articles XI and XII of the Hawaii State
Constitution, as well as other state laws and judicial
decisions; and

WHEREAS, Hawaii’s traditional farming systems, such as loko
i’a (fishponds), māla (cultivated gardens), and lo‘i (irrigated
patches) were considered innovative agricultural technologies
that once sustained a thriving and robust island community; and

WHEREAS, traditional Hawaiian farming systems play a
critical role in Hawaii and should be revitalized and encouraged
to promote greater self-sufficiency, crop diversity, and food
security; and

WHEREAS, traditional farming techniques and native Hawaiian
culture plays a vital role in preserving and advancing the
quality of life and cultural vitality of Hawaii; and

WHEREAS, traditional Hawaiian crops like kalo, ‘uala (sweet
potato), limu (various seaweeds), ‘awa (kava), hō‘i‘o (large
native fern), and ‘olena (turmeric) that were cultivated using
these traditional Hawaiian farming techniques continue to be
important agricultural products for food, medicine, and cultural
practices today; and
WHEREAS, supporting traditional Hawaiian farming systems is critical towards helping the State achieve its ambitious goals relating to food security and increasing domestic production of a local food supply; and

WHEREAS, streamlining the permitting process for loko i'a, traditional fishponds, has had a significant beneficial impact throughout the islands; and

WHEREAS, each petitioner that seeks to use conservation lands with the intention of agricultural or aquacultural farming should either know, be a generational and traditional kupa'aina (person of the place) of the parcel they are seeking, or consult with the native people of that specific ahupua'a, as much as possible, to ensure that their crop is compatible with the ecosystem of that place; and

WHEREAS, the State of Hawaii has an affirmative obligation to ensure that its regulatory actions do not adversely impact the constitutionally protected rights of native Hawaiians; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2021, that the Department of Land and Natural Resources is urged to adopt administrative rules under Chapter 92, Hawaii Revised Statutes, to streamline the process for allowing traditional Hawaiian farming systems on conservation lands; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, Attorney General, Chairperson of the Board of Land and Natural Resources, Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, and Chairperson of the Environmental Council.

I hereby certify that this is a full, true, and correct copy of the original filed in this office.

Dated: MAR 22 2021

[Signature]
Assistant Clerk of the Senate
State of Hawai‘i