

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

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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

Testimony of
DAWN N.S. CHANG
Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Thursday, February 27, 2025
2:00 PM

State Capitol, Conference Room 325 & Videoconference

In consideration of
HOUSE BILL 211, HOUSE DRAFT 1
RELATING TO STREAM MAINTENANCE

House Bill 211, House Draft 1 proposes to authorize the State and counties to remove and dispose of personal property as part of the maintenance of channels, streambeds, streambanks, and drainageways. Clarifies that personal property stored in or near a channel, streambed, streambank, or drainageways for a continuous period of more than twenty-four hours shall be deemed abandoned property which may be disposed of by the State or county. **The Department supports the intent of the bill and offers the following comments.**

The Department recognizes the importance of coordinated efforts between the State and counties in maintaining streams and waterways, as well as the need to establish a clear process for handling abandoned property found within these areas. However, we respectfully offer the following comments to strengthen the bill's implementation:

The Department administers lands within its jurisdiction, but many streams and adjoining lands can be under both public and private ownership, and even streams that are publicly owned may be owned by various State agencies other than the Department or the counties. We appreciate the current draft of the bill places primary authority with the counties, as they already have the authority to enter private property and conduct clean up, then charge the owner of the streambank pursuant to Section 46-11.5, Hawaii Revised Statutes (HRS). However, we recommend that the proposed Section 46-11-5(b) clarify that the entity -State or county - with direct jurisdiction over the specific property is authorized to engage in the cleanup and disposal of property.

Effective stream maintenance requires dedicated resources. While the Department acknowledges that abandoned property in waterways presents hazards, the bill does not currently provide funding to cover

the associated costs of removal, storage, and disposal. In addition to funding to support stream maintenance, the Department recommends the bill authorize cost-recovery that would allow for reimbursement when public funds are used to address issues on private lands.

The Department supports efforts to streamline the process of addressing hazards caused by abandoned property but underscores the importance of balancing landowners' interests with the public interest in situations where removal requires traversing over private lands. The bill should consider adopting a notice and enforcement procedure similar to what is provided under Section 127A-18, HRS, which empowers the Governor to authorize state agents to enter private property at reasonable times to mitigate hazardous situations.

Thank you for the opportunity to testify on this measure.

HB-211-HD-1

Submitted on: 2/26/2025 1:27:01 AM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell Tsuji	Department of Land and Natural Resources	Comments	Remotely Via Zoom

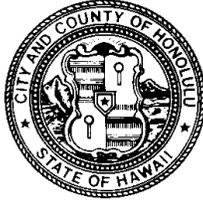
Comments:

DLNR testimony for HB211 HD1 was submitted on main testimony account. Request for a Zoom link for additional staff to be backup tesifier at the hearing.

**DEPARTMENT OF FACILITY MAINTENANCE
KA 'OIHANA MĀLAMA HALE
CITY AND COUNTY OF HONOLULU**

1000 ULU'OHIA STREET, SUITE 215, KAPOLEI, HAWAII 96707
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RICK BLANGIARDI
MAYOR
MEIA



GENE C. ALBANO, P.E.
DIRECTOR AND CHIEF ENGINEER
PO'O A ME LUNA NUI 'ENEKINIA

WARREN K. MAMIZUKA
DEPUTY DIRECTOR
HOPE PO'O

IN REPLY REFER TO:
25-045

February 26, 2025

Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
and Members of the Committee on Judiciary & Hawaiian Affairs
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Chair Tarnas, Vice-Chair Poepoe, and Committee Members:

SUBJECT: Testimony in Opposition of H.B. 211, Relating to Stream Maintenance

On behalf of the City and County of Honolulu, Department of Facility Maintenance, we believe H.B. 211 will place sole responsibility on the Counties of abandoned property not consistent with current relevant Hawaii Revised Statutes (HRS) and Revised Ordinances of Honolulu (ROH) and would require the violation of a federal court stipulation. Hence, we **strongly oppose** H.B. 211.

HRS § 46-11.5 currently states that "...it shall be the responsibility of the county to maintain all channels, streambeds, streambanks, and drainageways unless such channels, streambeds, streambanks, and drainageways are privately owned or owned by the State, in which event such channels, streambeds, streambanks, and drainageways shall be maintained by their respective owners." Any change to these responsibilities would cause additional, unfunded, costs to the City and require the negotiation of access rights to properties not owned by the City. H.B. 211 should reflect that the stream owners, county, State or private, are responsible for the maintenance of their portion of the stream.

In addition, H.B. 211 incorporates language regarding personal property, "(b) Personal property shall not be stored in or near channels, streambeds, streambanks, and drainageways. Personal property stored in or near channels, streambeds, streambanks, and drainageways for a continuous period of more than twenty-four hours shall be deemed abandoned property and may be disposed of by the State or county."

The Honorable Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
and Members of the Committee on Judiciary & Hawaiian Affairs
February 26, 2025
Page 2

This is in direct conflict with the federal court stipulation reached in part of the American Civil Liberties Union lawsuit.

Accordingly, the City ROH Article § 13-19.3 and § 13-19.4 requires written notification of abandoned property and storage of personal property rather than immediate disposal, “Personal property placed on public property shall be stored personal property if it has not been removed from public property within 24 hours of service of the written notice required by § [13-19.4](#), which requires such removal, and the city may cause the removal and impoundment of such stored personal property; provided that moving the personal property to another location on public property shall not be considered to be removing the personal property from public property; and provided further, that this section shall not apply to personal property that, pursuant to statute, ordinance, permit, regulation, or other authorization by the city or State, is placed on property that is owned or controlled by the city.”

Per the stipulation, the City strictly adheres to the issuance of written notice and storage procedures for impounded personal property and must list on the City website the location of the planned enforcement area by 3:00 p.m. the previous day. The City and County of Honolulu will continue to abide by the current Statute and Ordinance.

Thank you for the opportunity to testify on this measure.

Sincerely,

Gene C. Albano, P.E.
Director and Chief Engineer Designate

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 20 2016

at 4 o'clock and 45 min. M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TABATHA MARTIN, TRACY MARTIN, T.M., a minor, by her parents and next friends TABATHA MARTIN and TRACY MARTIN, KIONINA KANESO, K.H., a minor, by her next friend KIONINA KANESO, TANAKO YUG, GABRIEL YUG, G.Y., a minor, by his next friends, TANAKO YUG and GABRIEL YUG, DIANA CHONIONG, JON JOSEPHSON, NORMA MANUEL, MENSI RIKAT, ARI RODEN, RIMUO RUNTE, and SNOPIA WEINEI, individually and on behalf of the class of homeless or formerly homeless individuals whose property was seized and destroyed by City and County of Honolulu officials,

Plaintiffs,

vs.

CITY AND COUNTY OF HONOLULU, a municipal corporation, and DOE EMPLOYEES OF CITY AND COUNTY OF HONOLULU 1-100,

Defendants.

Case No. 1:15-cv-00363-HG-KSC
[CLASS ACTION]

**AMENDED STIPULATION RE:
SCHEDULING and ORDER;
EXHIBIT "A"**

AMENDED STIPULATION RE: SCHEDULING AND ORDER

The parties hereby stipulate to and the Court hereby orders the following:

1. Except as set forth below, Defendant City and County of Honolulu ("City") shall not immediately dispose of any property that would constitute a "sidewalk-nuisance" pursuant to the Sidewalk Nuisance Ordinance ("SNO"), Revised Ordinances of Honolulu ("ROH") Section 29-16.2, or that would constitute "Personal Property" pursuant to the Stored Property Ordinance ("SPO"), ROH Section 29-19.2. This Amended Stipulation re: Scheduling and Order ("Amended Stipulation") applies to all personal property (excluding those items identified in Exhibit "A") including, but not limited to, tents, tarps, children's toys, suitcases, laundry baskets, shelves/crates, backpacks, baby strollers/cribs, air compressors, recreational items like surfboards, bicycles and bicycle parts, clothing, bedding, coolers, household goods and hygiene items (including liquids like soaps, shampoos, and cleaning supplies), and furniture ("Property").

2. Conditions and Procedures:

- a. Any Property that is impounded must be stored for at least 45 days.
- b. No later than June 30, 2016, notices and forms required by the SPO, SNO or under the law shall be made available in Chuukese (Lagoon), Marshallese, Samoan, Spanish, Tagalog, and Tongan. These notices and forms include the following:
 - i. SPO Removal Notice
 - ii. SPO Sticker
 - iii. SPO Storage and Disposal Notice
 - iv. SNO Summary Removal Notice
 - v. SNO Application to Waive Sidewalk-Nuisance Fee
 - vi. SPO/SNO Release of Stored Personal Property.
- c. All notices shall:
 - i. state that individuals need not pay to retrieve their Property if they cannot afford to pay;

- ii. state the retrieval process of stored Property consistent with paragraphs 2(g)(v)-(vi) below; and
 - iii. state that Property owners can either collect their Property all at once or in multiple trips, so long as all Property is retrieved within 45 days of being impounded.
- d. Any person who attempts to retrieve his/her own Property shall be entitled to retrieve the Property without payment of any fees upon attesting, subject to penalty of perjury, financial inability to pay the assessed fee. This attestation shall state (and be translated into all the languages set forth above):

I am homeless and I do not have the money to pay to get my things back.

I swear that this is true under penalty of perjury.

The Director of the Department of Facility Maintenance maintains the right to challenge the statement of financial inability to pay, though any

individual (other than a business owner) who swears under penalty of perjury that s/he is unable to pay the assessed fees shall be entitled to retrieve her/his own Property immediately and without waiting for resolution of the Director's challenge.

- e. SPO: All Property stored on public property (*i.e.*, owned, managed, or maintained by the City [ROH section 29-19.2]) ("Public Property") must be tagged with legible notice (except where legible notice is served on the person storing the Property) pursuant to SPO for a period of 24 hours before impoundment, unless the Property poses a threat to the health, safety, or welfare of the public, or interferes with the safe or orderly management of Public Property, or remains in a public park after park closure hours, in which case the Property may be removed and impounded immediately (subject to the Property owner's right to remove the Property immediately as set forth in paragraph 2(g)(ii) below)

and stored subject to the conditions/exceptions set forth below.

f. SNO: Property subject to SNO shall be legibly identified on the SNO notice tag and impounded and stored, subject to the conditions/exceptions set forth below.

g. Except where otherwise provided, the following are conditions applicable to all SPO/SNO enforcement actions:

i. Members of the public may be excluded from the area within which SPO and SNO enforcement is taking place; the exclusion area may extend up to 10 feet from any Property to be impounded.

ii. The City employees enforcing the SNO/SPO will make reasonable efforts to give verbal notice to individuals affected that they can enter the exclusion area for 30 minutes to remove their own Property. A person claiming ownership of Property that has been tagged or

identified for impoundment shall be permitted to enter the exclusion area during that 30 minute period for purposes of removing that Property. Reasonable modifications to Property removal deadlines/instructions will be made for persons with disabilities who, due to their disability, require additional time to comply. Property retrieved and removed by a person claiming ownership will not be impounded; provided, however, that (a) moving Property to other locations on Public Property shall not be considered removal from Public Property; and (b) an individual actively attempting to remove Property from inside a park during hours that the park is closed shall be provided with no less than 30 minutes to retrieve the Property and shall not be cited, arrested, or otherwise charged for being present in a park after closing hours during that 30 minute period. Any verbal

notifications/warnings regarding the enforcement action shall be consistent with the terms set forth herein and the SPO/SNO, provided that the translation requirements set forth in paragraph 2(b) do not apply to this provision.

- iii. All impounded Property that fits within storage bins will be placed within tagged storage bins. All other impounded Property will be removed and impounded with an identifying sticker. Tents, tent poles, canopies, and other large items may be disassembled for storage, and reasonable care shall be used to fit these items within bins in a manner that avoids damage to those items. Nothing herein, however, shall require the City to disassemble structures that have been constructed on Public Property, though the City shall not dispose of items merely because they are too large to fit inside a storage bin.

iv. At the time of impoundment, a legible impoundment notice will be given to the Property owner or, if the owner is not present or his or her identity cannot be determined, left where the Property was impounded, or if notice cannot be left, then posted on the City's website (currently located at <http://www.honolulu.gov/dfm/spo.html>) for three consecutive days. The City shall make reasonable efforts to identify all Property impounded and provide a tag number identifying the storage bin for the impounded Property.

v. Impounded Property will be stored for at least 45 days at a facility in or near the Halawa Yard, or at a City facility closer to where it was impounded.

vi. When a person produces an impoundment notice with the specified tag number (or, absent the notice itself, describes the

approximate date, time, and location where the Property was impounded and a description of the impounded Property), attests to ownership of the Property, and signs a receipt form, all Property related to that impoundment notice (or as described by the person) will be returned to the person immediately, subject to paragraph 2(d). Production of receipts will not be required for the return of the Property.

- vii. During an enforcement action, if the owner of perishable food items is present, the owner of those items shall be given an opportunity to remove those food items. If the owner of perishable food items is not present at the time of the enforcement action, the perishable items shall be left for at least one hour; if the perishable items remain in the area more than one hour, the City may dispose of them immediately (though if the perishable food is contained in a cooler, the cooler shall be

stored), provided that the City shall document such disposals by video recording.

- viii. The City may immediately dispose of item(s) set forth in Exhibit "A" attached hereto, subject to the following: (a) If the owner of any item(s), including those identified in Exhibit "A," is present at the time of enforcement, the owner may immediately remove said item(s), otherwise, such item(s) may be immediately disposed of after video taping and video recording the items as described below in paragraph 2(g)(x); and (b) The items identified in Exhibit "A" as "Weapons, Controlled Substances, and Drug Paraphernalia" shall be immediately disposed of or turned over to the proper authority.
- ix. The City shall make reasonable efforts to store wet and dry items separately to avoid damage from mold to dry items.

x. The City shall video record the specific item(s) being disposed of and the justification therefor. The City will provide copies of, or access to, such video recordings to Plaintiffs' counsel every two weeks for six months from the date this Amended Stipulation is filed or until the damages portion of the case has been determined, whichever is sooner. The City shall likewise video record any items impounded with less than 24-hour notice when the items are impounded because they pose a health or safety hazard or because they interfere with the orderly management of Public Property. Any person who believes her/his own property was impounded or disposed of during an SPO/SNO enforcement action can request copies of any of these video recordings from the City, either in writing or orally, but must provide the approximate date, time, and location of the purported

enforcement action. The person requesting the video shall have the option of receiving the video via e-mail or on a compact disc, or other device made available to DFM by the requesting person at DFM's Kapolei office. The requested recording(s) (or access thereto) shall be provided within five business days and at no charge to the requester. These videos shall be considered government records for purposes of HRS chapter 92f; nothing herein shall be construed as a limitation on anyone's rights under Hawai'i Revised Statutes chapter 92F nor as requiring the City to retain the video after such 45-day period unless such retention is otherwise not inconsistent with the City's record retention policy.

- xi. Nothing in this Amended Stipulation shall be construed to allow or permit Plaintiffs and any class members to use or occupy Public Property in any way other than their intended

use; or (b) construed as an admission by the City that its past and/or current enforcement of SPO and SNO has been or is in violation of the law.

- xii. No later than 3:00 p.m., the City shall post on its website (currently located at <http://www.honolulu.gov/dfm/spo.html>) the time and place of every planned enforcement action it reasonably believes will take place the following day. The City shall provide the ACLU of Hawaii with contemporaneous notice of updates to the City's website to office@acluhawaii.org or other e-mail address as provided by Plaintiffs' counsel. No enforcement action shall take place unless notification was published prior to 3:00 p.m. the day prior, provided that the City is not required to provide notice to address Property that poses a threat to the health, safety, or welfare of the public or orderly management of

Public Property; in such circumstances, the City shall videotape the enforcement action consistent with this Amended Stipulation and shall make reasonable, good-faith efforts to document the reasons for conducting the enforcement action without prior notice, either by verbal commentary on videotape or by written documentation after the conclusion of the enforcement action. An occasional, unintentional, and good-faith clerical mistake regarding publication of notice shall not constitute breach of this Amended Stipulation.

3. Recognizing that no one entity in Hawai'i appears to have comprehensive information on the availability of homeless shelter space at any given time, which may present a barrier for homeless individuals and families interested in seeking shelter, the mediator in this case recommends that the City, the State, and other stakeholders come together to create a clearinghouse of information on available shelter options for homeless individuals and families. Until such

time as information regarding the availability of shelter space is available to the general public, upon request, and within one business day from receipt of the request (and up to one time per week), the City shall provide to the ACLU of Hawaii, the City's most current information in its possession at the time of the request regarding the availability of shelter space for homeless individuals or families.

4. Nothing herein shall be construed as an admission of liability by the City for damage to any impounded or stored Property.
5. All current deadlines in this case shall be vacated. The parties are working on a proposal to resolve Plaintiffs' remaining claims and to present such proposal to the City Council for action at its February 17, 2016 meeting or, if deferred by the City Council, at its March 16, 2016, meeting. If the City Council does not approve the proposal by its March 16, 2016 meeting, the trial on Plaintiffs' remaining claims shall be re-set by the Court.

6. Notwithstanding any other provision herein, all parties agree that this Amended Stipulation has resulted in a material alteration of the legal relationship of the parties, and that this alteration is judicially sanctioned. That is, this Amended Stipulation includes the following: (1) judicial enforcement; (2) a material (and not technical or *de minimis*) alteration of the legal relationship between the parties; and (3) actual relief on the merits of Plaintiffs' claims.
7. The Court shall retain jurisdiction to enforce this Amended Stipulation.
8. The Parties consent to the determination of attorneys' fees and costs by Magistrate Judge Kevin S. Chang, and any order entered will thereafter be appealable by either party to the Ninth Circuit Court of Appeals.
9. This Amended Stipulation will go into effect as soon as entered by the Court and will be enforceable in the same manner as would be any other order of the Court.
Notwithstanding the foregoing, paragraph 2, subsection b shall be effective on June 30, 2016; paragraph 2, subsections c, and paragraph 2, subsection d's requirement

regarding a printed attestation, shall be effective on March 1, 2016. This Amended Stipulation supersedes the November 18, 2015 Stipulation re: Scheduling and Order (Docket #51); that Stipulation and Order is hereby withdrawn.

10. The terms of this Amended Stipulation shall apply to all City SNO/SPO enforcement actions.

11. The City will withdraw its December 14, 2015

Memorandum in Opposition to Plaintiffs' Motion for Class Certification, Dkt. No. 77, and stipulate to the certification of the following class for purposes of injunctive relief only:

All homeless or formerly homeless individuals whose property was seized and destroyed by the City and County of Honolulu officials. The City will pay all costs to provide

any required notice and other Court costs required for any

class action settlement for injunctive relief. Plaintiffs'

counsel shall cooperate with the effort to obtain Court

approval of class action settlement for injunctive relief, if so

required, and the Court shall review such submissions

consistent with Fed. R. Civ. P. 23, if so required. The final

stipulation shall be submitted as a settlement for injunctive relief; any such settlement shall comply with Rule 23's requirements, subject to further Order of the Court.

DATED: Honolulu, Hawai'i, January 12, 2016.

/s/ Nickolas A. Kacprowski

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Special Deputies Corporation
Counsel

Attorneys for Defendant
City and County of Honolulu

APPROVED AND SO ORDERED:

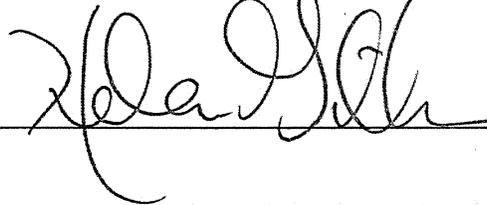

1-20-16

EXHIBIT "A"

Combustible or Hazardous Items:

1. Gasoline
2. Gasoline Cans with odor of gasoline
3. Propane canisters
4. Propane Torches
5. Lighters and lighter fluid
6. Kerosene
7. Paint and Paint Thinners
8. Motor oil
9. Brake Fluids
10. Transmission Fluid
11. Car Batteries
12. Stand-alone Lithium Batteries
13. Rubbing Alcohol
14. Nail Polish Remover
15. Aerosol Cans
16. Fireworks
17. Fertilizer
18. Other items that the City is prohibited from storing pursuant to state or federal law.

Pallets:

Pallets, but provided that the City upon disposing of any pallet will provide an SPO tag to the owner, or if the owner is not present, will leave it in a conspicuous place at the place of enforcement, and the owner of the pallet will then be provided the same number of replacement pallets upon presentation of the tag (or, absent the tag itself, describes the approximate date, time, and location where the pallets were disposed of) at the storage yard.

Weapons, Controlled Substances, and Drug Paraphernalia:

1. Guns of any type
2. Ammunition
3. Exposed razor blades
4. Shards of broken glass or mirrors
5. Syringes/needles and medical waste
6. All illegal, non-prescription drugs and drug paraphernalia (e.g., glass pipes, foil pipes, baggies containing residue, rolling papers), excluding cannabis and related paraphernalia where the owner provides proof that he or she is a valid registrant in Hawaii's medical marijuana program.

Others:

1. Containers, buckets, coolers, pots and pans which contain urine, feces, or used feminine hygiene products
2. Items that cannot reasonably be construed as anything other than trash (e.g., food wrappings, used toilet paper, used tissue paper, used condoms, cardboard)
3. Any items infested with rodents and/or insects or contaminated with urine, feces or vomit to such a degree that no reasonable person could think that the item(s) could be cleaned and/or re-used (i.e., covered with a countless number of rodents and/or insects and infested to such a degree, or saturated with urine, feces, or vomit). The fact that an item has an odor is insufficient to constitute saturation or infestation.
4. Green waste (e.g., soil, tree branches, grass cuttings, and leaves)

HB-211-HD-1

Submitted on: 2/25/2025 12:16:19 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

I fully SUPPORT this bill because it will help to reduce the amount of trash that ends up floating down to the Ala Wai Canal.

The trash makes the canal look DISGUSTING, and is not what Waikiki residents and visitors should be forced to see.

It also is disgusting to see when it ends up in the harbor; and ultimately POLLUTES the ocean.

Please nip this problem in the bud! It's the proverbial stitch in time that saves nine!

Thank you for your kind consideration to pass this bill.

HB-211-HD-1

Submitted on: 2/25/2025 12:31:07 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill; please pass it.

The trash that is washed into the streams not only hurts the stream water quality, but pollutes the Ala Wai and eventually the ocean.

HB-211-HD-1

Submitted on: 2/26/2025 1:31:39 PM

Testimony for JHA on 2/27/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Taryn Dizon	Individual	Support	Remotely Via Zoom

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary and Hawaiian Affairs,

I am writing to express my strong support for the requirement that our counties provide critical stream maintenance. Being born and raised on Kaua'i, I have witnessed firsthand the deadly consequences of rising stream levels due to storm runoffs. While we have learned where homes should be built, we have failed in managing our streams, causing devastation to our towns.

Due to the lack of maintenance, our island is not resilient and continues to suffer from flooding caused by blocked culverts, debris-dammed bridges, and narrowing streams due to overgrowth. Since the flooding of 2018, our homes have been constantly threatened and continue to experience storm run-off higher than the toilet bowl. Historically, our sugar plantations managed many of our streams to protect their crops. With the fallow fields and large overgrowth, our counties must be equipped and mandated to be storm-ready and resilient.

In addition to stream maintenance, including the removal of personal property from streambeds and banks, the counties must also manage the overgrowth. Overgrowth has many consequences for our ecosystems. It blocks the sunlight needed to sustain marine life, reduces downstream flow, and depletes the limited water available during extreme drought conditions. Overgrowth may seem harmless, but it is a significant factor in maintaining a strong resilience plan for our counties that is easily overlooked.

Thank you for your time. I strongly encourage you to ensure our counties not only maintain our streams but also manage them by controlling the overgrowth. Our Muliwai depends on this and you can make the difference.

**Mahalo Nui,
Taryn Dizon
Kaua'i, Hawaii**