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# A BILL FOR AN ACT

RELATING TO THE WAHIAWA DAM AND RESERVOIR.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature recognizes that climate change  
2 is occurring and is a priority issue for the State. Climate  
3 change poses immediate and long-term threats to Hawaii's  
4 economy, sustainability, security, and way of life.

5           The legislature also recognizes that climate change creates  
6 increased risks of both drought and sea level rise, making it  
7 critical to maintain the State's water storage capabilities and  
8 to protect downstream communities from flooding. To address  
9 these risks, the Wahiawa dam and reservoir, which serves as a  
10 major water supply for central and North Shore Oahu, must be  
11 carefully monitored for safety and must be the subject of an  
12 emergency intervention plan.

13           Accordingly, the purpose of this Act is to direct the  
14 department of land and natural resources to develop an emergency  
15 intervention plan for the Wahiawa dam and reservoir and to study  
16 the feasibility of the State acquiring the Wahiawa dam and  
17 reservoir.



1 SECTION 2. (a) The department of land and natural  
2 resources engineering division shall develop an emergency  
3 intervention plan for the Wahiawa dam and reservoir.

4 (b) The Wahiawa dam and reservoir emergency intervention  
5 plan shall identify:

6 (1) Communities that may need to evacuate in a dam  
7 emergency, using inundation maps that highlight flood  
8 areas and estimated travel times for floodwaters;

9 (2) The dam owner's responsibilities to ensure timely and  
10 effective action in the event of an emergency;

11 (3) The respective responsibilities of the State and the  
12 city and county and their areas of jurisdiction in the  
13 event of a dam emergency;

14 (4) Potential defects in the dam and reservoir;

15 (5) Any aspects of the dam and reservoir that are not in  
16 compliance with dam safety standards;

17 (6) Financing opportunities to bring the dam into safety  
18 compliance if necessary; and

19 (7) Opportunities for public outreach in the adjacent and  
20 downstream communities, for both the State and the dam  
21 owner.



1 (c) The department of land and natural resources  
 2 engineering division shall submit the Wahiawa dam and reservoir  
 3 emergency intervention plan to the legislature no later than  
 4 twenty days prior to the convening of the regular session of  
 5 2022.

6 SECTION 3. The department of land and natural resources  
 7 shall study the feasibility of the State acquiring the Wahiawa  
 8 dam and reservoir and shall submit a report of its findings and  
 9 recommendations, including any proposed legislation, to the  
 10 legislature no later than twenty days prior to the convening of  
 11 the regular session of 2021.

12 SECTION 4. There is appropriated out of the general  
 13 revenues of the State of Hawaii the sum of \$ or so  
 14 much thereof as may be necessary for fiscal year 2020-2021 for  
 15 the Wahiawa dam and reservoir emergency intervention plan. The  
 16 moneys shall be allocated as follows:

17 (1) \$1,000,000 to develop the Wahiawa dam and reservoir  
 18 emergency intervention plan;

19 (2) \$ to create one permanent full-time  
 20 equivalent position (1.0 FTE) in the department of  
 21 land and natural resources engineering division dam



1 safety program for a planner V to aid in the  
2 development of the Wahiawa dam and reservoir emergency  
3 intervention plan and to assist in carrying out dam  
4 inspection, repair, and maintenance oversight pursuant  
5 to chapter 179D, Hawaii Revised Statutes;

6 (3) \$3,000,000 to purchase necessary dam safety emergency  
7 intervention equipment, which may include a loader,  
8 excavator, tractor and flat-bed trailer, and other  
9 related dam supplies and materials which could include  
10 erosion control measures, as required to carry out the  
11 emergency intervention plan; and

12 (4) \$ to study the feasibility of the State  
13 acquiring the Wahiawa dam and reservoir.

14 The sum appropriated shall be expended by the department of  
15 land and natural resources for the purposes of this Act.

16 SECTION 5. This Act shall take effect on December 31,  
17 2033.



**Report Title:**

DLNR; Wahiawa Dam and Reservoir; Emergency Intervention Plan;  
Dam Safety; Appropriation

**Description:**

Directs the Department of Land and Natural Resources to develop and implement an emergency intervention plan for the Wahiawa dam and reservoir and to study and report to the Legislature on the feasibility of the State acquiring the Wahiawa dam and reservoir. Appropriates funds. Effective 12/31/2033. (SD2)

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