

MAR 11 2022

SENATE RESOLUTION

REQUESTING THE OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES FORESTRY AND WILDLIFE DIVISION AND COMMISSION ON WATER RESOURCE MANAGEMENT TO CONDUCT A STUDY OF WAIAHOLE STREAM, IDENTIFY JURISDICTIONAL OBSTACLES TO COORDINATED STREAM MAINTENANCE, AND OFFER RECOMMENDATIONS TO IMPROVE STREAM MAINTENANCE AND FLOOD HAZARD MITIGATION POLICIES.

1 WHEREAS, each property owner is responsible for stream
2 maintenance on the portion of a stream that crosses through or
3 along their property, but maintenance along the length of any
4 stream is rarely coordinated between neighboring property
5 owners; and

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7 WHEREAS, land ownership along the length of a stream may
8 include multiple private, public, and governmental owners, none
9 of which has authority to maintain the entire stream; and

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11 WHEREAS, the lack of coordinated stream maintenance often
12 leads to clogged, overgrown or debris-filled streams that
13 function poorly, especially during rain events, and result in
14 local flooding; and

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16 WHEREAS, the Waiahole Stream is an example of a stream that
17 is overgrown with hao, albizia, and other fast-growing
18 vegetation that increase siltation and stream breaches that
19 flood adjacent properties and impair water flow to the stream
20 and historical auwai; and

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22 WHEREAS, the majority of the Waiahole Valley area is owned
23 by the State through the Departments of Land and Natural
24 Resources, Hawaiian Home Lands, Hawaii Housing Finance and
25 Development Corporation, and City and County of Honolulu; and

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27 WHEREAS, ownership of majority of the land by the State
28 provides a unique opportunity to study jurisdictional obstacles,
29 challenges to effective watershed management, and possible
30 recommendations for a coordinated approach to stream
31 maintenance; and



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2 WHEREAS, such a study would provide a road map for
3 improving the health of Waiahole Stream and assist with flood
4 hazard mitigation and stream maintenance policies statewide;
5 now, therefore;

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7 BE IT RESOLVED by the Senate of the Thirty-first
8 Legislature of the State of Hawaii, Regular Session of 2022,
9 that the Office of Planning and Sustainable Development, in
10 consultation with the Department of Land and Natural Resources
11 Division of Forestry and Wildlife and Commission on Water
12 Resource Management, is requested to identify jurisdictional
13 obstacles to coordinated stream maintenance and offer
14 recommendations to improve stream maintenance and flood hazard
15 mitigation policies; and

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17 BE IT FURTHER RESOLVED that the study shall address the
18 following:

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20 (1) The effects of landowner decisions on surrounding
21 landowners and the community with a focus on flood
22 risk;
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24 (2) The obligations of government branches, private
25 landowners, and the larger community;
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27 (3) Hazards to public and private property, agriculture,
28 and safety;
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30 (4) Flood hazards related to stream management and
31 overgrowth;
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33 (5) Jurisdiction of public and private entities,
34 including:
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36 (A) Private landowners;
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38 (B) State departments and agencies; and
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40 (C) Federal property;
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- 1 (6) Limitations on active management by landowners and
- 2 public entities;
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- 4 (7) Permitting;
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- 6 (8) Environmental conservation;
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- 8 (9) Best management practices for flooding at Waiahole
- 9 Valley and implications for other drainage basins;
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- 11 (10) Recommendations to address issues identified by the
- 12 study; and
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- 14 (11) A cost benefit analysis of establishing permanent
- 15 staff to coordinate stream management across
- 16 landownership boundaries in the State; and
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18 BE IT FURTHER RESOLVED that the Office of Planning and
 19 Sustainable Development is requested to submit a report of its
 20 findings and recommendations, including any proposed
 21 legislation, to the Legislature no later than twenty days prior
 22 to the convening of the Regular Session of 2023; and

23
 24 BE IT FURTHER RESOLVED that certified copies of this
 25 Resolution be transmitted to the Director of the Office of
 26 Planning and Sustainable Development, Chairperson of the
 27 Commission on Water Resource Management, and Administrator of
 28 the Department of Land and Natural Resources Division of
 29 Forestry and Wildlife.

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OFFERED BY: 

