
HOUSE CONCURRENT RESOLUTION

REQUESTING THE STATE AND CITY AND COUNTY OF HONOLULU TO CONVENE
A WORKING GROUP TO COLLABORATE ON MULTI-JURISDICTIONAL
STREAM MAINTENANCE.

1 WHEREAS, the State and counties are statutorily required to
2 conduct maintenance for streams under their respective
3 jurisdictions, which includes stream cleaning and drainage
4 improvement projects, and homeowners are responsible for stream
5 management on their properties; and

6
7 WHEREAS, the division of jurisdictional responsibilities
8 and property ownership among these various entities can
9 complicate and often obstruct the necessary maintenance required
10 for the proper functioning of streams, thus further exacerbating
11 the magnitude of damage as well as the costs to rebuild and
12 repair property and correct structural damages after significant
13 rainfall; and

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15 WHEREAS, as periodic heavy rainfall occurs, private
16 businesses, residences, schools, institutions, and other places
17 are in imminent danger of property damage caused by heavy
18 flooding, debris, water damage, and displaced materials; and

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20 WHEREAS, according to the Department of Land and Natural
21 Resources Division of Aquatic Resources, localized heavy
22 rainfall and storms passing through the Hawaiian Islands cause
23 frequent flooding or flash floods, resulting in damages and
24 potential risk to human life and property; and

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26 WHEREAS, according to the Honolulu 2019 Multi-Hazard Pre-
27 Disaster Mitigation Plan, from about 1915 to 2019, floods caused
28 by rainstorms, tsunamis, and hurricanes have claimed more than
29 one hundred forty lives and inflicted more than \$225,000,000 of
30 direct and indirect damage on Oahu; and



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2 WHEREAS, jurisdiction over stream maintenance on Oahu is
3 divided among the State, City and County of Honolulu, and
4 private homeowners and businesses; and
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6 WHEREAS, to be effective in maintaining streams and avoid
7 inaction due to divided responsibilities for maintenance, the
8 State and City and County of Honolulu should convene a working
9 group to identify ownership of all streams and, if a stream is
10 under multiple ownership, determine what jurisdiction should be
11 the lead for maintaining the stream; now, therefore,
12

13 BE IT RESOLVED by the House of Representatives of the
14 Thirty-first Legislature of the State of Hawaii, Regular Session
15 of 2022, the Senate concurring, that the State and City and
16 County of Honolulu are requested to convene a working group to
17 collaborate on multi-jurisdictional stream maintenance; and
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19 BT IT FURTHER RESOLVED that the working group is requested
20 to discuss and produce the following relating to multi-
21 jurisdictional stream maintenance:
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- 23 (1) A list of all streams on Oahu, including ownership of
24 and responsibility for each stream;
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- 26 (2) The advantages and disadvantages of private ownership
27 of streams, including whether the working group
28 determines that private ownership is in the best
29 interest of the State, City and County of Honolulu,
30 and communities where the streams are located;
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- 32 (3) If private ownership is determined to be
33 disadvantageous to the community, an evaluation of how
34 stream ownership should be transferred to the State or
35 the City and County of Honolulu;
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- 37 (4) If private ownership is determined to be advantageous
38 to the community, an evaluation of how private stream
39 owners are currently notified of their
40 responsibilities for stream maintenance and how the
41 State and City and County of Honolulu can improve
42 communication regarding stream maintenance and



1 responsibilities of homeowners or other private
2 owners;

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4 (5) A list of resources needed to better maintain streams,
5 including the amount of funding and staff needed; and
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7 (6) A suggested schedule of maintenance of all streams on
8 Oahu and the corresponding public or private entity
9 that will be responsible for the maintenance of each
10 part of the stream under its responsibility; and
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12 BE IT FURTHER RESOLVED that the working group is requested
13 to consist of the following members or their respective
14 designees:
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16 (1) The Chairperson of the Board of Land and Natural
17 Resources, who is requested to serve as a co-chair of
18 the working group;
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20 (2) The Director of the City and County of Honolulu
21 Department of Facility Maintenance, who is requested
22 to serve as a co-chair of the working group;
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24 (3) The Assistant Superintendent of the Department of
25 Education Office of Facilities and Operations;
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27 (4) Any additional representative from a state department
28 or agency with ownership over streams, to be invited
29 by the working group;
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31 (5) Any additional representative from a City and County
32 of Honolulu department or agency with ownership over
33 streams, to be invited by the working group; and
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35 (6) Any additional members deemed necessary by the working
36 group; and
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38 BE IT FURTHER RESOLVED that the working group is requested
39 to submit a report of its findings and recommendations,
40 including any proposed legislation, to the Legislature no later
41 than twenty days prior to the convening of the Regular Session
42 of 2023; and



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2 BE IT FURTHER RESOLVED that the working group should cease
3 to exist on June 30, 2023; and

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5 BE IT FURTHER RESOLVED that certified copies of this
6 Concurrent Resolution be transmitted to the Chairperson of the
7 Board of Land and Natural Resources, Acting Superintendent of
8 Education, Mayor of the City and County of Honolulu, and
9 Director of the City and County of Honolulu Department of
10 Facility Maintenance.

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OFFERED BY: *Lisakita Agawa*
MAR 08 2022

