

MAR 11 2022

SENATE CONCURRENT 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

6
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

10
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

21
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

26
27 WHEREAS, ownership of majority of the land by the State
28 provides a unique opportunity to study jurisdictional obstacles,



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1 challenges to effective watershed management, and possible
2 recommendations for a coordinated approach to stream
3 maintenance; and

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

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

19
20 BE IT FURTHER RESOLVED that the study shall address the
21 following:

- 22
- 23 (1) The effects of landowner decisions on surrounding
24 landowners and the community with a focus on flood
25 risk;
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27 (2) The obligations of government branches, private
28 landowners, and the larger community;
 - 29
30 (3) Hazards to public and private property, agriculture,
31 and safety;
 - 32
33 (4) Flood hazards related to stream management and
34 overgrowth;
 - 35
36 (5) Jurisdiction of public and private entities,
37 including:
 - 38 (A) Private landowners;
 - 39
40 (B) State departments and agencies; and
 - 41
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- 1 (C) Federal property;
- 2
- 3 (6) Limitations on active management by landowners and
- 4 public entities;
- 5
- 6 (7) Permitting;
- 7
- 8 (8) Environmental conservation;
- 9
- 10 (9) Best management practices for flooding at Waiahole
- 11 Valley and implications for other drainage basins;
- 12
- 13 (10) Recommendations to address issues identified by the
- 14 study; and
- 15
- 16 (11) A cost benefit analysis of establishing permanent
- 17 staff to coordinate stream management across
- 18 landownership boundaries in the State; and
- 19

20 BE IT FURTHER RESOLVED that the Office of Planning and
21 Sustainable Development is requested to submit a report of its
22 findings and recommendations, including any proposed
23 legislation, to the Legislature no later than twenty days prior
24 to the convening of the Regular Session of 2023; and
25

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

