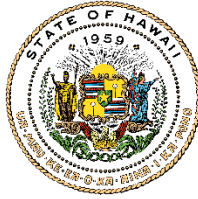
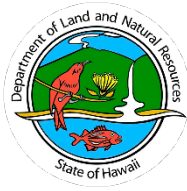


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

DEAN D. UYENO
ACTING 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 Committees on
LABOR & GOVERNMENTAL OPERATIONS
and
WATER & LAND

Tuesday, March 19, 2024
9:05 AM

State Capitol, Conference Room 309 & Videoconference

In consideration of
HOUSE CONCURRENT RESOLUTION 67/HOUSE RESOLUTION 52
REQUESTING THE ESTABLISHMENT OF A STREAM MAINTENANCE WORKING
GROUP WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES

House Concurrent Resolution 67/House Resolution 52 requests the establishment of a stream maintenance working group within the Department of Land and Natural Resources. **The Department of Land and Natural Resources (Department) opposes this resolution.**

Stream maintenance is not within the Department's statutory responsibilities and therefore the Department should not be burdened with the responsibility of managing the working group requested in this resolution. Rather, pursuant to Hawaii Revised Statutes (HRS) § 46-11.5, the counties are responsible to provide for the maintenance of channels, streambeds, streambanks and drainageways unless they are privately owned or owned by the State. This law also enables the counties to enforce against a non-compliant private party, which includes entering the property, conducting the maintenance, and billing the owner. This law ensures that government entities and private property owners both share a duty and responsibility to maintain streams.

Additionally, the requested working group would incur significant costs for the Department. The working group likely require staff for proper administration, as well as office equipment and supplies, and potential travel expenses. There will be added expense for the committee to comply with Chapter 92, HRS, sunshine law requirements. Further, the working group's actions could be subject to contested case hearings and appeals. A conservative budget for such a working group,

including payroll, fringe benefits, hearing officer fees, and other costs and expenses, would be \$500,000 annually. As an alternative, in order to alleviate these costs, if the Committees are inclined to pass the resolution, the Department requests that the working group be exempted from Chapter 92, HRS.

Thank you for the opportunity to testify on this resolution.

HCR-67

Submitted on: 3/17/2024 10:31:03 PM

Testimony for LGO on 3/19/2024 9:05:00 AM

Submitted By	Organization	Testifier Position	Testify
thalya demott	Individual	Support	Written Testimony Only

Comments:

Dear Committee,

I am testifying in support of HCR67 for its potential for reducing instances of flooding caused by debris carried downstream from private properties located streamside. In Manoa, these properties are generally owner-occupied by senior citizens with limited incomes who are physically and financially challenged to remove fallen tree branches from their properties abutting the stream. When mauka debris is carried downstream by floodwaters, the entire ahupua'a is impacted.

Mahalo,

Thalya DeMott