
A BILL FOR AN ACT

RELATING TO FLOOD MITIGATION.

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

1 SECTION 1. The legislature finds that residential flooding
2 is a persistent issue across the State, exacerbated by aging
3 infrastructure, poor drainage, and increased rainfall due to
4 climate change. Flooding not only damages homes but also
5 disrupts access to communities, especially in neighborhoods with
6 private roads where drainage maintenance is often neglected.

7 The purpose of this Act is to address flooding in
8 residential areas, including on private roads, by establishing a
9 grant program to improve drainage systems, support mitigation
10 measures, and provide resources for local communities and
11 homeowners.

12 SECTION 2. Chapter 179, Hawaii Revised Statutes, is
13 amended as follows:

14 1. By designating sections 179-1 through 179-4 as part I
15 and inserting a title before section 179-1 to read:

16 **"PART I. GENERAL DUTIES"**



2. By adding a new part to be appropriately designated and to read as follows:

**"PART II. RESIDENTIAL DRAINAGE SYSTEMS AND FLOODING MITIGATION
AND ASSISTANCE GRANT PROGRAM**

§179- Residential flood mitigation and assistance grant program; established. (a) The board of land and natural resources shall establish a grant program to:

- (1) Support counties and communities in maintaining, repairing, and improving drainage systems in residential areas, including private roads accessible to the public; and
- (2) Assist eligible homeowners to implement flood mitigation measures.

(b) The board shall develop standards, policies, and procedures for the administration of the residential flood mitigation and assistance grant program.

§179- Residential drainage system grants; eligibility.

(a) The board may award grants to a county, homeowners' or planned community association, or group of property owners who collectively manage or maintain a private road for maintenance,



1 repair, and improvement of residential drainage systems,

2 including but not limited to:

3 (1) Clearing and maintaining drainage ditches and
4 stormwater systems;

5 (2) Repairing or upgrading existing drainage
6 infrastructure; and

7 (3) Constructing new systems to reduce flooding risks.

8 (b) Requests for grants shall be submitted to the board in
9 accordance with administrative rules adopted by the board to
10 administer the grant program. Each request shall, at a minimum,
11 include:

12 (1) The name of the county, homeowners' or planned
13 community association, or group of property owners
14 requesting grant funds;

15 (2) The area or areas for which the grant is requested;

16 (3) Evidence of a history of flooding impacting the road
17 or nearby properties in the area or areas for which
18 the grant is requested;

19 (4) If the grant is requested for a privately maintained
20 road, evidence that the road is accessible to the
21 public; and



1 (5) A declaration of commitment by the applicant to
2 maintain any improved drainage systems.

3 (c) Each applicant for a grant shall provide proof that
4 the applicant:

5 (1) Has United States citizenship or permanent United
6 States resident alien status and is a resident or
7 domiciliary of the State at the time of application;

8 (2) Complies with all other federal, state, or county
9 statutes, rules, or ordinances necessary to conduct
10 the activities or provide the services for which a
11 grant is awarded;

12 (3) Complies with all applicable federal and state laws
13 prohibiting discrimination against a person on the
14 basis of race, color, national origin, religion,
15 creed, sex, age, sexual orientation, or disability;

16 (4) Agrees not to use state funds for entertainment or
17 lobbying activities;

18 (5) Allows the board, legislative committees and their
19 staff, and the auditor full access to the applicant's
20 records, reports, files, and other related documents
21 and information for the purposes of monitoring,



1 measuring the effectiveness of, and ensuring the
2 proper expenditure of the grant;

3 (6) Satisfies any other standards that may be required by
4 the source of funding; and

5 (7) Meets all other standards prescribed in rules adopted
6 by the board to implement the grants awarded under
7 this section.

8 (d) Each applicant who is awarded a grant pursuant to this
9 section shall provide a report to the board no later than one
10 year after the grant has been awarded and on an annual basis
11 thereafter for as long as the applicant has unexpended grant
12 monies. The report shall include:

13 (1) The number and location of projects funded;

14 (2) The condition of the drainage systems cleared,
15 repaired, or upgraded; and

16 (3) Plans for ongoing maintenance.

17 (e) The board shall prepare any forms necessary to meet
18 the requirements of this section.

19 **§179- Residential flood mitigation assistance grants;**

20 **eligibility.** (a) The board may award grants to eligible



1 homeowners to implement flood mitigation measures, including but
2 not limited to:

3 (1) Elevating homes or critical utilities;

4 (2) Installing flood barriers, sump pumps, or backflow
5 prevention systems; and

6 (3) Landscaping to improve water absorption and redirect
7 runoff.

8 (b) Requests for grants shall be submitted to the board in
9 accordance with administrative rules adopted by the board to
10 administer the grant program. Each request shall, at a minimum,
11 include:

12 (1) The name of the homeowner requesting grant funds;

13 (2) The location of the residence for which the grant is
14 requested; and

15 (3) Evidence that the residence is in a flood-prone area.

16 (c) Each applicant for a grant shall provide proof that
17 the applicant:

18 (1) Has United States citizenship or permanent United
19 States resident alien status and is a resident or
20 domiciliary of the State at the time of application;



- 1 (2) Complies with all other federal, state, or county
2 statutes, rules, or ordinances necessary to conduct
3 the activities or provide the services for which a
4 grant is awarded;
- 5 (3) Agrees not to use state funds for entertainment or
6 lobbying activities;
- 7 (4) Allows the board, legislative committees and their
8 staff, and the auditor full access to the applicant's
9 records, reports, files, and other related documents
10 and information for the purposes of monitoring,
11 measuring the effectiveness of, and ensuring the
12 proper expenditure of the grant;
- 13 (5) Satisfies any other standards that may be required by
14 the source of funding; and
- 15 (6) Meets all other standards prescribed in rules adopted
16 by the board to implement the grants awarded under
17 this section.
- 18 (d) The board shall prepare any forms necessary to meet
19 the requirements of this section.
- 20 (e) No grant shall be awarded under this section unless
21 the applicant matches up to of the grant awarded.



1 **§179- Public education and resources.** The board shall
2 develop and distribute educational materials on residential
3 flood prevention and mitigation strategies, including:

- 4 (1) Proper maintenance of private and public drainage
5 systems;
6 (2) Use of permeable materials for driveways and
7 landscaping;
8 (3) Emergency preparedness for flooding events;
9 (4) Establishing and managing homeowners' associations for
10 private road maintenance; and
11 (5) The availability of grants for residential drainage
12 systems and flood mitigation and assistance under this
13 part.

14 **§179- Reporting.** The board shall submit an annual
15 report to the legislature no later than twenty days prior to the
16 convening of each regular session, which shall include:

- 17 (1) Number and location of projects funded;
18 (2) Number of grants awarded for maintenance, repair, and
19 improvement of residential drainage systems;
20 (3) Number of grants awarded to eligible homeowners to
21 implement flood mitigation measures; and



1 (4) Any findings and recommendations, including proposed
2 legislation.

3 **§179- Rulemaking.** The board may adopt rules pursuant
4 to chapter 91 to effectuate the purpose of this part."

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2025-2026 and
8 the same sum or so much thereof as may be necessary for fiscal
9 year 2026-2027 to implement the grant program established by
10 this Act.

11 The sums appropriated shall be expended by the department
12 of land and natural resources for the purposes of this Act.

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

DLNR; Residential Flood Mitigation; Drainage Systems; Grants;
Appropriation

Description:

Establishes a grant program for drainage system maintenance and flood mitigation measures in residential areas, to be administered by the Board of Land and Natural Resources. Appropriates funds. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

