
A BILL FOR AN ACT

RELATING TO WATER.

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

1 SECTION 1. House concurrent resolution no. 261, H.D. 1
2 (2006) requested the department of health, with the assistance
3 of the department of land and natural resources and the
4 department of facilities maintenance of the city and county of
5 Honolulu, to report to the legislature on the relationship
6 between the various Kailua waterways, including the Kaelepulu
7 pond, and the water quality and natural resources of Kailua
8 beach and Kailua bay. This system consists of interconnected
9 brackish estuarine waters, including Kawainui stream, Hamakua
10 marsh, Kaelepulu canal, Kaelepulu pond, and Kaelepulu wetlands.

11 In the 1960s, the United States Army Corps of Engineers
12 directed the natural flow to the Kawainui stream to be blocked
13 by the construction of the flood control levee in order to
14 reduce the threat of flooding to Kailua town. The city and
15 county of Honolulu manages the Kawainui stream and Kaelepulu
16 canal for drainage and flood control. The Hamakua wetlands is
17 managed for endangered Hawaiian waterfowl habitat by the
18 department of land and natural resources. The Kaelepulu pond



1 and Kaelepulu wetland are private property, by virtue of their
2 historical standing as a Hawaiian fish pond and a habitat for at
3 least three endangered native Hawaiian waterfowl. While it is
4 private land, both the State and the city and county of Honolulu
5 dump runoff into Kaelepulu pond, as well as other waterways,
6 including Kailua beach, Kailua bay, Hamakua marsh, and Kawainui
7 marsh.

8 The Kailua waterways are listed on the State's clean water
9 Act 303(d) list of impaired waters as not meeting water quality
10 standards for nutrients, turbidity, and bacteria load. As a
11 result, the Kailua waterways are presently being studied by the
12 department of health. Since the time of the removal of the
13 natural water flow from Kawainui marsh, the large majority of
14 the water entering the Kailua waterways does so through storm
15 drains under main separate storm sewer system four. Water flows
16 from the Kailua waterways across the sand berm at Kailua beach
17 and adversely impacts the quality of the near shore waters. The
18 near shore waters are predominantly used for resident and
19 tourist recreation.

20 The department of health's 2008 report to the legislature
21 lists eleven reasonable approaches that may improve the water



1 quality and natural resources of the estuary system and its
2 residual impact on the beaches and waters in Kailua bay.

3 The purpose of this Act is to appropriate funds to address
4 water quality and other issues facing Kailua waterways as
5 follows:

6 (1) For the department of land and natural resources to
7 implement three of the eleven aforementioned
8 approaches; and

9 (2) For the department of transportation to plan, design,
10 and construct measures to address water quality,
11 siltation, and other waterway problems described in
12 this Act.

13 SECTION 2. The department of land and natural resources
14 shall:

15 (1) Conduct an engineering study and an environmental
16 assessment for the preliminary design and
17 specification of measures to restore adequate water
18 flow from Kawainui marsh to Kawainui stream using
19 siphons, tunnels, pumps, or other appropriate
20 measures;

21 (2) Conduct a study to maximize the efficiency of the
22 monthly stream mouth opening procedures as well as,



1 improved procedures to respond to threats of flooding
2 due to a blocked canal mouth. This study shall track
3 the effluent plume from the stream mouth and elucidate
4 the fate of state standard water quality parameters,
5 such as turbidity, nutrients, and bacteria, within
6 Kailua bay recreational waters; and

- 7 (3) Design and implement measures to reduce the amount of
8 polluted runoff delivered to Kaelepulu pond by
9 redesigning and restoring the function of the Keopu
10 flood basin, which receives waters from main separate
11 storm sewer system four, and report to the legislature
12 on those measures.

13 All studies and report directed by this section shall be
14 transmitted to the legislature not later than twenty prior to
15 the convening of the regular session of 2009.

16 SECTION 3. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2008-2009 for
19 the department of land and natural resources for the purposes
20 described in section 2 of this Act.

21 The sum appropriated shall be expended by the department of
22 land and natural resources for the purposes of this Act.



1 SECTION 4. There is appropriated out of the state highway
 2 fund the sum of \$ _____ or so much thereof as may be
 3 necessary for fiscal year 2008-2009 for the department of
 4 transportation to plan, design, and construct measures to
 5 address water quality, siltation, and other waterway problems
 6 mentioned in this Act; provided that the department of
 7 transportation shall:

8 (1) Work in consultation with the department of health,
 9 the department of land and natural resources, and the
 10 city and county of Honolulu; and

11 (2) Request that the city and county of Honolulu match any
 12 funds expended for these purposes considering the city
 13 and county of Honolulu contributes to the road run-off
 14 into the Kailua waterways.

15 The sum appropriated shall be expended by the department of
 16 transportation for the purposes of this Act.

17 SECTION 5. This Act shall take effect on July 1, 2008.

18 INTRODUCED BY: _____

J. H. Karaman

Paul Chung

C. H.

Tony Wu



Report Title:

Appropriation; Kailua Waterways

Description:

Appropriates funds for various measures to address water quality and other issues facing Kailua waterways.

