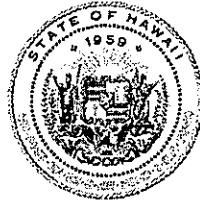


SR110

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A TASK FORCE TO DEVELOP A STREAM MAINTENANCE AND FLOOD HAZARD MITIGATION PLAN.

DLNR; Stream Maintenance; Flood Hazard Mitigation

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WATER, LAND AND HOUSING**

**Tuesday, April 05, 2011
1:20 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE RESOLUTION 110
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CONVENE A TASK FORCE TO DEVELOP A STREAM MAINTENANCE AND
FLOOD HAZARD MITIGATION PLAN**

Senate Resolution 110 proposes to establish a task force on stream maintenance and flood hazard mitigation, headed by the Department of Land and Natural Resources (Department), to develop short and long term solutions and funding options to address flooding within the state. The Task Force is to report its finding and recommendations and any proposed legislation to the Legislature prior to the 2012 Regular Session.

The Department strenuously opposes any unfunded mandate, duplication of effort, and any distraction from its core public management. Given the budgetary cuts the Department has endured and further cuts anticipated due to the current fiscal climate, the Department's formal participation in a task force will negatively impact the Flood Control and Dam Safety Program by drawing resources away from its core function.

Furthermore, this forum duplicates efforts undertaken by the State Hazard Mitigation Forum (Forum) under the State Civil Defense (SDC) Agency. The Forum meets regularly on all hazards that affect the State, including flooding. Some of the Forum's goals include:

- a. Develop a unified management strategy with recommendations concerning State, Federal, or county mitigation responsibilities and programs and mitigation plans.
- b. Identify vulnerabilities to various natural hazards and evaluate and prioritize measures to mitigate the risks associated with the hazards; assist SCD to solicit, review and prioritize nominations for mitigation projects to be included in the State of Hawaii Multi Hazard Mitigation Plan and which may be submitted by applicants for Hazard Mitigation Grant Program and Pre Disaster Mitigation grant funding.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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

- c. Assist state and county governments in obtaining funds to implement mitigation projects.
- d. Develop specific goals on a biennial basis and provide status reports to state departments, county governments, and private organizations represented on this Forum.
- e. Recommend policy and program changes to federal, state, and county agencies which are involved in mitigation activities.
- f. Develop a comprehensive public awareness program on the activities of the Forum, highlighting successful mitigation projects.
- g. Provide reports, as appropriate, to the Governor and Legislature on special mitigation activities addressed or completed by the Forum.

In addition, the Department is responsible for developing the Hawaii General Flood Control Plan (Plan), in accordance with Chapter 179, Hawaii Revised Statutes (HRS), - "Flood Waters and Flood Conservation" which includes the coordination of State developed and financed flood mitigation projects.

This Resolution addresses items that are not under the Department's jurisdiction or authority.

- a. Stream Maintenance is the responsibility of the property owner and enforced by each County, pursuant to Section 46-11.5 HRS - "Maintenance of channels, streambeds, streambanks, and drainageways". The Department does not have the resources or authority to expand its maintenance efforts beyond its own lands.
- b. The Department does not have any authority to implement floodplain management policies. The Counties are responsible to address flood hazard mitigation policies for projects and improvements within their jurisdictions. Each county has drainage and grading ordinances that address the flood hazards and risks in their community. Each county also participates in the National Flood Insurances Program (NFIP) which mandates that these ordinances adopt the minimum Code of Federal Regulations in their building, grading and drainage ordinances. Counties have the authority to adopt more stringent ordinances than the minimum NFIP requirements to further mitigate against flooding and flood damages.

The Department feels that this proposed task force is unnecessary as similar efforts are already established and responsibilities identified through statute or ordinance regarding the roles of government. Duplication of current efforts places additional strain on current resources for the Department.

Thank you for the opportunity to comment.