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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 House Committee on
WATER, LAND & OCEAN RESOURCES**

**Friday, February 10, 2012
9:45 A.M.**

State Capitol, Conference Room 325

**In consideration of
HOUSE BILL 2883
RELATING TO MAKAHA VALLEY**

House Bill 2883 proposes to appropriate an unspecified amount of general funds and directs the Department of Land and Natural Resources (Department) to conduct a flood study for Makaha Valley, Oahu. This study would: 1) Identify specific recommendations for the control of storm drainage throughout the study area to reduce recurring flooding to residences and businesses; 2) Perform cost-benefit analysis of the recommendation; 3) Provide an evaluation of the recommendations; 4) Include a timetable for implementation; and 5) Address other issues deemed necessary or relevant by the Chairperson of the Board of Land and Natural Resources. The Department supports the intent of this measure; however, has significant concerns regarding the cost implications to conduct such a study on the Administration's Executive Supplemental Budget request and future implementation of the recommendations.

In order for proper analyses, recommendations, and cost estimates to be made, detailed hydrologic and hydraulic modeling of the watershed would need to be performed, along with the collection of required topographic data and investigation and interviews relating to flood incidents and histories within the community. The Department estimates a study of this scope would cost approximately \$500,000. Without appropriate funding, the Department will be unable to implement and complete the study requested. Once contracted, such a study would take 12 to 18 months to complete, well beyond the requested reporting period.

Furthermore, a timetable for the implementation of the recommendations will be contingent upon available funding and actions of the appropriate government agencies or private parties that will have jurisdiction to implement these flood control measures. Preliminary investigation indicates that a significant amount of the landownership in the valley may be private and the Department raises concerns that may result from the proposed use of public funds for private purposes.

Thank you for the opportunity to comment.

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
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CONSERVATION AND COASTAL LANDS
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ENGINEERING

FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
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LAND
STATE PARKS

Makaha Valley Flooding Issue in support of HB2883

- The Makaha Valley Incorporated (The Developer) constructed a drainage system for upper Makaha Valley in the 70s and early 80s as a requirement of the Makaha Valley Development. The system was approved by the C&C, however the "as built" drawings do not match the original engineer's (Parks Engineers) plans.
- The Makaha Valley Drainage system as designed by the original engineers was built to divert water flowing off the surrounding mountains to Makaha stream on the Western side and Eku stream on the Eastern side.
- The BWS/C&C acquired 4,009 acres surrounding Makaha valley in 1988. Located on this land is the Makaha Valley Drainage system, protecting the valley during heavy rain storms from severe run-off and flooding.
- From Arial photographs we are aware that the drainage system failed during heavy rains in 1996/97, flooding many properties below it, including extensive damage to the Makaha Valley Towers.
- The drainage system on the Western side of the valley directly above Makaha Valley Towers was repaired by the BWS/C&C after the 1997 rains.
- The same drainage system on the eastern side of Makaha Valley, also failed in several areas in floods of 1996/97. The system was never repaired. In 2008 another severe storm further destroyed portions of the system (West and East sides) causing extensive flooding of properties, homes and businesses from the top of the valley down to Farrington Highway.
- The BWS had performed routine maintenance on limited portions of the drainage system on the eastern side of the Valley up to and after the 2008 flooding. They have currently ceased to do any further maintenance.
- In June 2009 after the storm, concerns were raised by area residents and monetary damages claimed from the BWS, the BWS has claimed "no responsibility for fixing or maintaining the drainage system situated on their property." Currently there is a lawsuit between BWS vs 3 property owners and Mauna Olu Association. (I am not involved in the lawsuit).
- Over the years, the condition of the drainage system has deteriorated each time the valley receives rain storms. The Makaha Valley Drainage system needs to be repaired to acceptable engineer designs and a long term maintenance and monitoring program installed. This is a safety issue and requires urgent attention.
- It is my concern along with numerous other Makaha Valley residents, that in the event of a severe rain storm or prolonged rainy period we may experience life and property endangerment created by the inadequate performance of the Makaha Valley Drainage System. The residents of Makaha Valley cannot wait for a lawsuit that may take years to be

finalized, before any action is taken to determine the condition of the Flood System and take the necessary steps.

- Vic Gustafson, Interim Vice Director of State Civil Defense, recently made the following observation at a meeting held to discuss flooding issues on the Leeward Coast.

"Act 76 from the 2009 session authorizes any state agency as directed by the Governor to inspect flood hazards, such as berms, ditches, and clogged streams on private property, and give the landowner 10 days to fix the problem. If the property owner fails to fix the problem, the state can do it and bill the owner or put a lien on their property,"

As tax payers and residents can we not expect the same from our government?

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