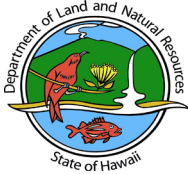


DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
WATER & LAND**

**Tuesday, March 22, 2022
9:30 AM**

State Capitol, Conference Room 430, Via Videoconference

**In consideration of
HOUSE CONCURRENT RESOLUTION 39/HOUSE RESOLUTION 34
REQUESTING THE STATE AND CITY AND COUNTY OF HONOLULU TO
CONVENE A WORKING GROUP TO COLLABORATE ON MULTI-
JURISDICTIONAL STREAM MAINTENANCE**

House Concurrent Resolution 39/House Resolution 34 requests the State and the City and County of Honolulu to convene a working group, co-chaired by the Chairperson of the Board of Land and Natural Resources, to collaborate on multi-jurisdictional stream maintenance and produce certain information. **The Department of Land and Natural Resources (Department) opposes these resolutions.**

The resolutions request the working group, as one of multiple complex responsibilities, to produce a list of all streams on Oahu, including ownership of and responsibility for each stream. Determining stream ownership and responsibility would be an extremely time consuming and onerous task that is impossible to be completed by the next legislative session. There are multiple owners along each stream who are mostly private parties. Also, in many instances the stream boundaries are in the center of the stream or are generally described and not fixed as a stream can meander its course.

In order to provide the information requested in this resolution, the working group would need to research and review the deed to every parcel abutting each stream on Oahu and would severely burden the Department and staff of other working group members who are assigned to other substantive matters (often higher in priority) as there is no additional staffing or funding provided for in the resolutions. Additionally, on previous occasions where the Department has made efforts to determine the jurisdiction of a stream, affected parties have disagreed with the Department's findings. This measure does not provide a means for resolving such disputes.

Thank you for the opportunity to comment and oppose these resolutions.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

HCR-39

Submitted on: 3/20/2022 11:30:20 PM

Testimony for WAL on 3/22/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|----------------------|
| Kevin Moore | DLNR | Oppose | Remotely Via Zoom |

Comments:

I am available for questions to DLNR. Please allow me Zoom access.



Ko`olau Foundation

P. O. Box 4749
Kane`ohe, HI 96744
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March 21, 2022

TO: David Tarnas, Chair
And Members
House Committee on Water and Land

FROM: Mahealani Cypher
Ko`olau Foundation

RE: Support for H.C.R. 39, Working Group on Stream Maintenance

Aloha Chair Tarnas and Members of this Committee:

The Ko`olau Foundation offers its wholehearted support for passage of House Concurrent Resolution 39, which would call for the establishment of a working group concerning multi-jurisdictional programs for maintenance of Hawai`i's streams. Maika`i!

While all of us enjoy the beauty and social value of a healthy island stream, the care and maintenance of our stream has long been a subject of dispute and conflict between the state, county, and private landowners over who should be responsible for maintaining our streams.

Our organization strongly supports a holistic approach toward stewardship of our waterways, and this new working group should serve to establish healthy and strongly needed communications among public and private stakeholders and others to ensure that we plan and implement these plans wisely and well.

As an organization dedicated to preserving traditional and customary cultural practices of Native Hawaiians, we would also like to suggest that membership on this working group include representatives of active community organizations like the neighborhood boards or other community associations.

That is because, in traditional times, the kuleana for managing and caring for these waterways belonged to both the konohiki (government leaders) as well as to the residents or workers within the ahupua`a. Incorporating that sense of community obligation to assist in the cleaning or maintenance of streams might strengthen this initiative.

In fact, that is why those ahupua`a markers were installed along state and county roadways, in large part to remind people of their obligation to be good stewards of where they live and work.

We commend the makers of this Resolution and urge its passage, hopefully incorporating a community involvement section to connect everyone with kuleana for stewardship. Mahalo.

HCR-39

Submitted on: 3/18/2022 8:52:01 PM

Testimony for WAL on 3/22/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Julia M. Yano | Individual | Support | Written Testimony Only |

Comments:

I support **House Concurrent Resolution 39.**