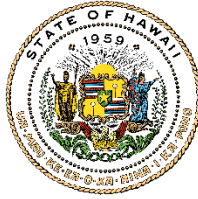


**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA**

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**RYAN K.P. KANAKA'OLE**  
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MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
DAWN N. S. CHANG  
Chairperson**

**Before the House Committees on  
LABOR & GOVERNMENTAL OPERATIONS  
and  
WATER & LAND**

**Tuesday, March 19, 2024  
9:05 AM**

**State Capitol, Conference Room 309 & Videoconference**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 67/HOUSE RESOLUTION 52  
REQUESTING THE ESTABLISHMENT OF A STREAM MAINTENANCE WORKING  
GROUP WITHIN THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

House Concurrent Resolution 67/House Resolution 52 requests the establishment of a stream maintenance working group within the Department of Land and Natural Resources. **The Department of Land and Natural Resources (Department) opposes this resolution.**

Stream maintenance is not within the Department's statutory responsibilities and therefore the Department should not be burdened with the responsibility of managing the working group requested in this resolution. Rather, pursuant to Hawaii Revised Statutes (HRS) § 46-11.5, the counties are responsible to provide for the maintenance of channels, streambeds, streambanks and drainageways unless they are privately owned or owned by the State. This law also enables the counties to enforce against a non-compliant private party, which includes entering the property, conducting the maintenance, and billing the owner. This law ensures that government entities and private property owners both share a duty and responsibility to maintain streams.

Additionally, the requested working group would incur significant costs for the Department. The working group likely require staff for proper administration, as well as office equipment and supplies, and potential travel expenses. There will be added expense for the committee to comply with Chapter 92, HRS, sunshine law requirements. Further, the working group's actions could be subject to contested case hearings and appeals. A conservative budget for such a working group,

including payroll, fringe benefits, hearing officer fees, and other costs and expenses, would be \$500,000 annually. As an alternative, in order to alleviate these costs, if the Committees are inclined to pass the resolution, the Department requests that the working group be exempted from Chapter 92, HRS.

Thank you for the opportunity to testify on this resolution.

**HR-52**

Submitted on: 3/16/2024 2:40:07 PM

Testimony for LGO on 3/19/2024 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathleen M. Pahinui	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Chairs Matayoshi and Ichiyama and Committee Members –

I strongly support resolution HR52. The North Shore of O‘ahu has been subject to numerous floods over the years, the most recent severe flood in March 2021 took out one of our bridges.

We need regular and thorough stream maintenance. The stream mouths and areas around the bridges need to be cleaned so there is no scrambling before a storm event to prevent flooding. And so we can be prepared in the event of unanticipated rain event.

Mahalo for this resolution – it is overdue and much needed to address flooding across the island.

Mālama ‘āina,

Kathleen M. Pahinui