

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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
LAURA H.E. KAAKUA  
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

Testimony of  
DAWN N.S. CHANG  
Chairperson

Before the House Committee on  
WATER & LAND

Tuesday, February 7, 2023  
9:30 A.M.  
State Capitol, Conference Room 430

In consideration of  
HOUSE BILL 1282  
RELATING TO THE MAINTENANCE OF MANOA STREAM

House Bill 1282 proposes to appropriate funds for the Department of Land and Natural Resources (Department), in conjunction with the City and County of Honolulu (City), to perform maintenance activities to benefit Mānoa Stream. **The Department opposes this measure as it includes provisions that are problematic to implement as noted in the discussion below and proposes the following amendments should the measure proceed.**

The Department appreciates the intent of this measure to provide support for stream maintenance to mitigate the risk of flooding. The land ownership of Mānoa Stream varies and includes lands owned by private parties, the City, and the State of Hawai'i which includes the Department and the University of Hawai'i. The Department regularly maintains the areas of Mānoa Stream under its jurisdiction.

Pursuant to Hawaii Revised Statutes (HRS) §46-11.5, the Counties shall 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 City to enforce against a non-compliant private party, which includes entering the property, conducting the maintenance, and billing the owner. The Department does not have this authority. Moreover, this measure shifts a private responsibility and liability to the Department and raises concerns regarding the use of public funds for private purposes.

The Legislature, through this measure, acknowledges that the "...City and County of Honolulu, has not regularly performed periodic maintenance activities necessary on Mānoa Stream to adequately address flood mitigation through vegetative management, debris removal, and streambed dredging at specific locations." With this acknowledgement, the Department recommends the Legislature appropriate funds directly to the City to perform maintenance activities to benefit Mānoa Stream, and recommends the following amendments to SECTIONS 1 and 2:

SECTION 1. ... The purpose of this Act is to appropriate funds for ~~the department of land and natural resources, in conjunction with~~ the city and county of Honolulu, to perform maintenance activities to benefit Manoa stream.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024—2025 for ~~the department of land and natural resources, in conjunction with~~ the city and county of Honolulu, to perform maintenance activities to benefit Manoa stream. The sums appropriated shall be expended by the ~~department of land and natural resources~~ city and county of Honolulu for the purposes of this Act.

The Department notes that for activities in streams that go beyond routine maintenance and maintenance of existing facilities, such as removal of any material from the stream channel, a stream channel alteration permit is required from the Commission on Water Resource Management under HRS §174C-71(3)(A).

Mahalo for the opportunity to provide testimony in opposition of this measure.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**Councilmember District 5**  
**Telephone: (808) 768-5005**  
**Email: ckysay@honolulu.gov**

February 6, 2023

**TO:** CHAIR LINDA ICHIYAMA, COMMITTEE ON WATER & LAND  
VICE CHAIR MAHINA POEPOE, COMMITTEE ON WATER & LAND

**FROM:** COUNCILMEMBER CALVIN SAY  
HONOLULU CITY COUNCIL, DISTRICT V

**SUBJECT: TESTIMONY IN SUPPORT OF HOUSE BILL 1282**

Aloha Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee on Water & Land:

I am a current member of the Honolulu City Council representing District 5 and serving as the Chair of the Zoning Committee. I stand in **support** of House Bill 1282, which appropriates funds for the Department of Land and Natural Resources, in conjunction with the City and County of Honolulu, to perform maintenance activities to benefit Manoa stream.

Stream maintenance has been an important topic of discussion in the City and County of Honolulu since I took office. Over the last two years, Honolulu has contended with heavy rain storms causing flooding and damage in our communities. In my time serving as Chair of the Committee on Budget, the Council added additional funding to support our stream maintenance each budget cycle, however our Department of Facility Maintenance can only be stretched so thin, as they service the entirety of Oahu.

As noted in HB 1282, vegetative management, debris removal, and streambed dredging are key factors in mitigating flooding. The average annual rainfall of Manoa Valley is upwards of 150 inches. The maintenance of Manoa stream is especially important to prevent devastating and costly events like the 2004 flooding at the University of Hawaii at Manoa's Hamilton Library. It also prevents trash and debris from flowing into our oceans, as Manoa stream provides freshwater to the Kamakūokalani Center for Hawaiian Studies lo'i, merges with Palolo Stream, and eventually flows into the Ala Way Canal by Iolani School.

We have been fortunate to have volunteer organizations, like Malama Manoa and Surfrider Foundation at UH Manoa, Mānoa Campus, supporting the City's efforts in cleaning up the Manoa Stream, however I strongly urge the passing of HB 1282. The health of our streams is everyone's concern.

Thank you for this opportunity to testify in **support** of House Bill 1282. Thank you for your time and consideration.

**HB-1282**

Submitted on: 2/5/2023 7:17:20 PM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Wesley Oda	Be Ready Manoa	Support	Written Testimony Only

Comments:

My name is Wesley Oda and I am the President of Be Ready Manoa, an approved 501C3 non-profit organization whose goal is to educate our residents of the importance of being disaster prepared. I - along with our organization - support House Bill 1282 because the on-going maintenance of Manoa Stream is an important disaster preparedness measure. Government involvement, action and oversight is required because of the complexity of stream ownership, inability of residents to address large trees that have rooted along the stream due to years of a lack of maintenance, and - most importantly - the destruction and resulting cost that poor/no maintenance of the stream causes as witnessed with the 2004 flood. Manoa stream runs through resident homes, businesses, and schools - so there are many potential victims of another disaster. Initial and on-going investment in the maintenance of Manoa stream will have long-lasting returns - and will be a much needed step forward in addressing the issues we continue to face (which results in a lack of progress) with the Ala Wai Watershed project. I urge all of our elected officials to earmark the needed funding for this bill as it will show that you are listening to the needs of your constituents and understand that this kind of legislation will benefit an entire community. Thank you for your serious consideration of this bill and any/all submitted testimony in support of House Bill 1282. Wesley Oda, President of Be Ready Manoa

## Testimony for HB 1282

I completely support bill HB 1282. There has been a lack of proper maintenance of the Manoa Stream in several areas, in particular the location where the stream bridge for Woodlawn Drive is. It's a very common area for flooding and requires constant dredging due to the slow flow of stream waters in the area. Silt and rock have been depositing under the bridge, past the bridge, and before the bridge causing the stream to be strangled on one side of the stream bank. When the next flash flood occurs, this area will be one of the first areas where flooding will occur and like a domino, the problem will flow upstream causing further problems in the community. Dredging all needs to be done just past the point where the 'Woodlawn' ditch intersects Manoa Stream which is where the 2004 flood caused a devastating flood at the block at East Manoa Road and Kahaloa Drive. The funds are needed more than ever since there has been a mis-understanding about the detention basin planned at Manoa Valley District Park and the lack of this detention basin means our community will be counting on these funds more than ever.

**HB-1282**

Submitted on: 2/4/2023 8:35:44 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brett Kurashige	Individual	Support	Written Testimony Only

Comments:

If an "Act of the Legislature" is what it takes to spur on what should normally be basic City & County recurring maintenance of our island network of Oahu streams to ensure proper flow in the event of a large rain storm, then so be it. This common-sense "stitch-in-time saves nine" preventive measure (HB1282) would prevent/mitigate a greater stormwater disaster/damage like the 2004 Manoa flood. Please pass this bill. Mahalo for the opportunity to submit testimony in support. By the way, if Manoa Banyan Court is allowed to be developed, its impermeable surfaces (parking lots and massive concrete slabbed buildings) built over old-growth forested P2 preservation land will greatly worsen the risk of flooding in Manoa and worsen its downstream impact outside of Manoa, leading eventually to the Ala Wai canal.

**HB-1282**

Submitted on: 2/4/2023 9:42:32 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Linda Legrande	Individual	Support	Written Testimony Only

Comments:

Regular maintenance of this stream is extremely important to the residents and the numerous schools downstream to prevent potential flooding. Please provided the funding for this work. Thank you, Linda Legrande

Jimmy L. Lagunero  
4882 Kilauea Avenue #3  
Honolulu, HI, 96816  
manakoa@gmail.com

February 04, 2023

Aloha, My name is Jimmy L. Lagunero, I am writing this letter as an individual taxpayer, a resident of Honolulu, Oahu, and a State employee. **This is a letter of support for HB 1282**, Which appropriates funds for the department of land and natural resources, in conjunction with the city and county of Honolulu, to perform maintenance activities to benefit the Manoa stream.

I am not the official spokesperson for the University of Hawaii, nor am I authorized to speak officially on her behalf. I however have been employed by UH for over 23 years, both as a Campus Security Officer and since October 2007 as the Emergency Management Coordinator for the campus and as the lead operational liaison at UH with the Hawaii Emergency Management Agency, and the City and County of Honolulu.

HB1282 includes information regarding the October 30<sup>th</sup>, 2004 flood and the ensuing costs of 80 million dollars for the campus. I myself was employed by the University as a Campus Security Officer and was the first 1<sup>st</sup> Responder on the scene at Woodlawn Bridge, where the Manoa Stream was blocked at the bridge and diverted onto the campus. This flood also affected the community both above and below this blockage, where homeowners also had to deal with its devastating effects, literally as “the river ran through it” meaning through their homes and their neighborhoods.

At UH, other campus security officers, faculty, staff, and students also reacted to this event. I myself rescued a female researcher from being swept away by the flash flood, students attending a class held at the Hamilton library had to break their way out escaping with their lives from the basement which was totally flooded, while cars were being tossed about on Maile Way, as well as in the valley near the stream. Lives could have been lost that night, and if the stream does not have regular and routine stream maintenance, more lives as well as millions of dollars of damage could again occur.

While there have been other proposals to address the risks of flooding in the watershed, and while the City & County, and DLNR continue to stream maintenance, lives are at risk, similar to what occurred in 2004, and recently on Maui with Fire Fighter Tre Evans-Dumaran who unfortunately died in the line of duty while responding to the flooding there. Please support this measure and provide not just funding for the next couple of years, but in perpetuity. As long as the risk exists, we need to work to minimize this threat here as well as wherever this risk exists within the State of Hawaii.

Thank you for your time and considering my request.

Sincerely,  
Jimmy L. Lagunero



**HB-1282**

Submitted on: 2/5/2023 1:41:42 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cecily Wong	Individual	Support	Written Testimony Only

Comments:

Dear Chair Ichiyama and Members of the Water and Land Committee:

I respectfully submit this testimony in support of HB 1282.

I am a long time resident of Manoa and my home is located on Manoa Stream near the school. It has been years since any structural maintenance has been performed on the streambed. I have watched as the erosive effect of the stream has degraded the opposite bank and caused it to fill the channel. During the rainy season the water level is noticeably higher. While I am increasingly anxious about the increased risk of flooding to my property, I can only imagine what the downstream neighbors - who were severely impacted by past floods - must feel.

I urge you to vote in favor of HB 1282. In the alternative please consider incorporating the concerns that this bill seeks to address into a measure that funds and compels corrective action for Manoa Stream.

Thank you for your time in considering my testimony.

Sincerely,

Cecily Wong

**HB-1282**

Submitted on: 2/5/2023 1:45:43 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Janyce Mitchell	Individual	Support	Written Testimony Only

Comments:

HB1282 is a reasonable response to the potential costs of flooding of Manoa Stream. As outlined in the bill, prior flooding of Manoa Stream, which was due in part to debris in the stream that had not been removed due to lack of steam maintenance, caused significant damage to UH. Nearby residents and Noelani School were also adversely affected. Although community groups such as Malama Manoa undertake regular stream cleaning activities, these are not sufficient to mitigate the risks of flooding. The allocation of funds followed by regularly scheduled maintenance would be of great benefit to the Manoa community and, because of the location of the Manoa campus of UH, to the state at large. I urge the legislature to adopt this much needed bill. Thank you for your consideration.

**HB-1282**

Submitted on: 2/5/2023 7:26:03 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Piikea Miller	Individual	Support	Written Testimony Only

Comments:

Dear Chair Ichiyama and Members of the Committee on Water and Land,

As a long time Manoa resident I strongly support HB 1282. We're already seeing more powerful rain events in the valley and it's only a matter of time before we're faced with a massive storm water overflow. Maintenance of Manoa Stream could prevent this and at the same time protect residents, the University of Hawaii campus and other public schools from damage. Prevention is always cheaper than restoration or rebuilding.

Thank you for your consideration.

Pi'ikea Miller

**HB-1282**

Submitted on: 2/5/2023 9:07:05 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Philmund Lee	Individual	Support	Written Testimony Only

Comments:

Rep. Linda Ichiyama, Chair

House Committee on Water and Land

Tuesday, February 7, 2023, 9:30 AM CR 430 via Videoconference

In Support of HB 1282 relating to Manoa Stream

Chair Linda Ichiyama and members of the Water and Land Committee,

My name is Philmund Lee, Esquire and I am a member of the Neighborhood Number 7 and a voter from Manoa. I testify in my individual capacity. I support HB 1282.

Manoa Stream has been sorely neglected and neither the State nor the City and County of Honolulu has done adequate maintenance and repairs to mitigate flooding of the Manoa stream

Manoa Stream needs vegetative management, debris removal, and streambed dredging at certain areas.

The period flooding of Manoa stream can do extensive damage to the area.

**In October 2004, flooding caused over \$80,000,000 in damage to the University of Hawaii Manoa campus.**

**This bill would provide funding for the maintenance and flood control of Manoa Stream to prevent another \$10,000,000. Disaster.**

Thank you for your consideration of this worthy bill.

Philmund Lee, Esquire

Resident of Manoa

Philmund@gmail.com



Chair  
House Committee on Water and Land

**H.B. 1282**  
Relating to the Maintenance of Manoa Stream

Tuesday, February 7, 2023  
9:30 AM  
Conference Room 430  
State Capitol

Madam Chair and Members of the House Committee on Water and Land:

We testify in support of H.B. 1282.

As longtime residents of Manoa Valley, we are testifying in support of H.B. 1282. Our property was flooded during the Manoa Stream overflow on October 30, 2004. Our car and a washing machine were totally damaged and had to be replaced. We also suffered mud damage to our washroom. One of our dogs was so frightened that he snuck under our house and would have drowned had we not heard his yelping, and we pulled him out. This was a traumatic event for our family to say the least.

We support all efforts to prevent such a catastrophe from happening again in Manoa Valley. We wholeheartedly support passage of H.B. 1282.

Respectfully submitted,

Steven and Cheryl Kamaura

**HB-1282**

Submitted on: 2/5/2023 8:42:14 PM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Nagaji	Individual	Support	Written Testimony Only

Comments:

In addition to the over \$80,000,000 in damage to the University of Hawaii, the 2004 flood also caused substantial property damage to homes in the area. Please make the necessary appropriations to prevent something like this from happening again.

Sincerely,

Dave Nagaji, Manoa Resident

**HB-1282**

Submitted on: 2/6/2023 3:41:40 PM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Snider	Individual	Support	Remotely Via Zoom

Comments:

**As it relates to HB 1282**

I support this bill and thank you for introducing it. My family has lived along Manoa Stream since 1964. My wife and I now live in the family home and are responsible for our portion of stream maintenance. I bring this point of stream maintenance up because we are legally responsible by ordinance to maintain our portion stream. We own property (like many others) on both sides of the stream. This includes grass cutting, tree cutting, removal of debris that washes down from other property and removal of upstream neighbors failing concrete walls. There are at least 100 private landowners who live along the stream and either own to the center of the stream or both sides. This type of land ownership and maintenance is difficult and creates problems with landowners. There are many landowners who do not maintain the stream and are either too old or can't afford to have trees cut and debris removed. You can propose and consider maintenance of all the publicly owned portions of the stream but you're missing a major component of potential flooding which is roughly a 1 mile stretch of private stream owners from near Manoa Gardens Elderly Housing all the way up to Waakaua Street. Currently there are trees that have fallen into the stream creating blockage as well as large pieces of concrete. Some of these landowners may not realize debris in their portion of the stream.

**Please revise this bill to:**

1. Include some form of maintenance on the privately owned portions of the stream.
2. Add language to eventually take ownership of the stream through an easement, possibly eminent domain. This seems like the preferred long-term option as the City already owns drainage easements via the storm drain system. This is a vital storm drain system.



**HB-1282**

Submitted on: 2/6/2023 5:58:25 PM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elton Fukumoto	Individual	Support	Written Testimony Only

Comments:

Dear Chair Ichiyama and members of the Committee:

I write in support of HB 1282.

Manoa Valley receives the second most rainfall of any area in the Koolau Range. According to the records kept of rainfall at the UH's Lyon Arboretum at the back of the Valley, the rainfall there averages 165" of rain per year.

That amount of water makes a substantial contribution to our aquifer and hence to our abundant drinking water.

Unfortunately, the rainfall also means that Manoa Stream has to convey a substantial amount of water out of the Valley and into the ocean. Rainstorms of eight or nine inches occur on average once every two years.

Without proper routine maintenance of Manoa Stream, it is in danger of routinely flooding.

Residents of Manoa need this bill, and those who live next to the Stream need it desperately.

Elton Fukumoto

Manoa resident

**HB-1282**

Submitted on: 2/7/2023 9:32:46 AM

Testimony for WAL on 2/7/2023 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
joan H koff	Individual	Support	Written Testimony Only

Comments:

Rep. Linda Ichiyama, Chair

House Committee on Water and Land

Tuesday, February 7, 2023, 9:30 AM CR 430 via Videoconference

In Support of HB 1282 relating to Manoa Stream

Chair Linda Ichiyama and members of the Water and Land Committee,

My name is Joan Koff and I am a member of the Neighborhood Number 7 and a voter from Manoa. I testify in my individual capacity. I support HB 1282.

Manoa Stream has been sorely neglected and neither the State nor the City and County of Honolulu has done adequate maintenance and repairs to mitigate flooding of the Manoa stream

Manoa Stream needs vegetative management, debris removal, and streambed dredging at certain areas.

The period flooding of Manoa stream can do extensive damage to the area.

In October 2004, flooding caused over \$80,000,000 in damage to the University of Hawaii Manoa campus.

This bill would provide funding for the maintenance and flood control of Manoa Stream to prevent another \$10,000,000. Disaster.

Thank you for your consideration of this worthy bill.

**LATE**

Aloha,

My name is Jon Manago. I am a 36- year resident along Manoa Stream. I would like to thank Representative Andrew Garrett for helping to introduce HB 1282, which seeks funding for the maintenance of Manoa Stream.

If passed, this legislation will be beneficial to the Manoa communities, especially those who live next to the stream. Clearing debris, such as weed growth, logs, and boulders that impede the natural flow of the stream is also beneficial because it keeps debris from polluting the Ala Wai canal.

It's very unfortunate that Manoa Stream is deeded privately owned because the large majority of residents along the stream can't sufficiently maintain their portion of the stream for various reasons, ie can't readily access the stream, many are Kupuna who are not capable of doing the work, it could be too dangerous to do the work, or maybe heavy equipment (like a backhoe) or other equipment may be necessary to remove the various debris.

I, myself, have tried for the last 15-20 years to get the City to shore up the stream bed that abuts my property. The developers were required to cement the stream bed and construct a 10-foot retaining wall to protect a 36-inch storm drain that is under my house and property, and a huge sewer line that carries much of the upper Manoa sewage. The sewer line branches out and connects with another sewer line that goes under the stream. At present, at least half of the concrete bed has been eroded by heavy rains and flooding. My neighbor's portion of the wall fell into the stream during extreme flooding in 2004. My poor neighbor spent nearly \$100,000 to rebuild the wall, not to mention the nightmare of having to obtain different permits to do it, as well as having to bring in heavy equipment and material. He also had to dismantle part of his own rock wall so the equipment could reach the stream.

If government does not take responsibility in stabilizing the stream bed, and the wall fronting the stream collapses, my own home as well as the storm drain, and sewer lines will be in jeopardy of being destroyed or compromised. Why should the property owners be responsible for damage to improvements that the City mandated for sewers and flood management?

Our Manoa community will greatly benefit if HB 1282 passes because the funding will be used to maintain the stream.

I humbly ask this committee to consider all the testimony presented today and understand that our streams need to be maintained better. Passage of this bill will help tremendously and will be a benefit to all citizens on Oahu.

Mahalo,  
Jon Manago

**LATE**

Dear Chair, Vice Chair, and Committee members,

My name is Vernelle Oku and I am submitting my oral testimony as an indivisible in support of HB 1282 to be part of the online packet.

I live in Manoa next to the proposed Manoa Banyan Court Apartment Buildings and in 2004, my place was flooded with knee-high brown muddy water, traumatizing my (at that time 11-year-old) daughter and her friends that were having a sleepover at our house. I think it's critical that the Manoa Stream be mitigated and cleaned regularly to ensure this type of flooding, which out cars in trees and wiped out the UH Hamilton Library's basement of artifacts, does not occur again.

Especially since these streams are feeding into the Manoa aquifer and groundwater, and with our water supply at Red Hill in jeopardy, I believe it's imperative that the stream be taken care of for not only our generation, but the generations to come.

Thank you for your attention to my concerns.

Kind Regards,  
Vernelle Oku