

ACT 283

H.B. NO. 2883

A Bill for an Act Relating to Makaha Valley.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Makaha Valley is a major watershed on the Waianae coast. The runoff from this watershed flows into streams, which can result in flooding. Heavy rains also clog the valley, which overflows the rainwater into the surrounding area and accumulates in the lower valley.

A devastating landslide occurred in November 1996, after six hours of heavy rain, when two converging waterfalls sent rocks and mud down the mountainside, overwhelming a ten-foot-high rock retaining wall and surging through an upper level parking lot at the Makaha Valley Tower complex, burying or sweeping away approximately sixty cars and flooding the first floor of the building. Officials estimated that in a two-hour period, the storm caused millions of gallons of water to flow down the mountainside.

Over the years, the Makaha Valley area has experienced flooding. In December 2008, the eighteen-hole champion golf course in Makaha closed its seventh hole due to flood damage.

The federal government will not conduct a federal flood control study for Makaha Valley because Makaha Valley does not include federal land. Although a Waianae watershed management plan was prepared for the Honolulu board of water supply, a study focused specifically on Makaha Valley is vital to identify specific recommendations for the control of storm drainage to reduce recurring flooding to residences and businesses in the area.

The purpose of this Act is to require the department of land and natural resources to conduct a flood study for Makaha Valley and investigate all potential funding sources to finance the flood study and any improvements or repairs as recommended by the flood study.

SECTION 2. (a) The department of land and natural resources shall conduct a flood study for Makaha Valley on the island of Oahu. The flood study shall include but not be limited to:

- (1) Specific recommendations for the control of storm damage throughout Makaha Valley to reduce repetitive flooding to residences and businesses in the area;
 - (2) A cost-benefit analysis of the recommendations proposed;
 - (3) Identification and evaluation of the desired, intended, and potential unintended effects of the recommendations;
 - (4) A timetable for the implementation of the recommendations; and
 - (5) Any other issues deemed necessary or relevant by the chairperson of the board of land and natural resources.
- (b) The department of land and natural resources shall submit a written report of its findings and recommendations, including proposed legislation, if any, to the legislature no later than twenty days prior to the convening of the regular session of 2013.
- (c) The department of land and natural resources shall investigate all potential funding sources, including but not limited to any federal, state, county, or private funds, to finance the flood study and any necessary repairs and improvements recommended in the completed flood study.

SECTION 3. There is appropriated out of the special land and development fund established pursuant to section 171-19, Hawaii Revised Statutes, the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2012-2013 for a flood study for Makaha Valley.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2012.

(Approved July 6, 2012.)