
HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DEPARTMENT OF HEALTH, AND THE CITY AND COUNTY OF HONOLULU TO TAKE NECESSARY STEPS TO EXPEDITE CONSTRUCTION FOR THE EXPANSION AND IMPROVEMENT OF THE REPLACEMENT WASH-DOWN STATIONS AT MAUNALUA BAY.

1 WHEREAS, Maunalua Bay in Hawaii Kai on the island of Oahu
2 is a favorite spot for canoe paddlers, boaters, kayakers,
3 fishers, and picnickers; and
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5 WHEREAS, Maunalua Bay once had four wash-down stations,
6 located away from the vehicle traffic of the bay, where boaters
7 could safely wash their boats and other belongings after
8 returning from the ocean; and
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10 WHEREAS, deterioration of the wash-down area pavement, and
11 Department of Health regulations prohibiting water run-off from
12 draining directly into the ocean, forced the State to relocate
13 the wash-down stations to a different location at Maunalua Bay;
14 and
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16 WHEREAS, the new wash-down stations can only accommodate
17 three boats and are configured so that usually only two boats
18 can use the stations at one time; and
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20 WHEREAS, the new wash-down stations lack proper lighting,
21 are located in an area of high vehicle traffic, add to the
22 traffic congestion of the bay and Hawaii Kai Drive, and are
23 dangerous to use; and
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25 WHEREAS, the Department of Land and Natural Resources is
26 working toward expanding and improving the new wash-down
27 stations, but is encountering difficulty due to some of the land



1 for the proposed expansion area being owned by the City and
2 County of Honolulu; and

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4 WHEREAS, expansion and improvement of the new wash-down
5 stations require certification from the Department of Health
6 that any resulting discharge will not violate applicable water
7 quality standards, in accordance with section 401(a)(1) of the
8 federal Clean Water Act; and

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10 WHEREAS, the Department of Health is required under state
11 law to adopt rules specifying a maximum time period to grant or
12 deny a business- or development-related permit, license, or
13 approval; and

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15 WHEREAS, the Department of Health has adopted rules
16 providing that if the Director of Health fails or refuses to act
17 on a request for certification within one year after receipt of
18 a complete water quality certification application, then
19 specified certification requirements must be waived with respect
20 to the concurrently required federal application; and

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22 WHEREAS, the Department of Health's responses to government
23 and private sector applications are often issued more than two
24 years following a complete application submission; and

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26 WHEREAS, the time required to obtain a water quality
27 certification is unreasonably long, is not consistent with the
28 intent set forth in section 91-13.5, Hawaii Revised Statutes,
29 and results in costly delays to both government and private
30 applicants; and

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32 WHEREAS, the timely approval or disapproval of applications
33 is a reasonable expectation and is necessary for applicants to
34 accurately budget for and implement capital improvements and
35 natural resource management projects; now, therefore,

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37 BE IT RESOLVED by the House of Representatives of the
38 Twenty-eighth Legislature of the State of Hawaii, Regular
39 Session of 2015, the Senate concurring, that the Department of
40 Land and Natural Resources, Department of Health, and City and
41 County of Honolulu are urged to take necessary steps to expedite



1 construction for the expansion and improvement of the
2 replacement wash-down stations at Maunalua Bay; and
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4 BE IT FURTHER RESOLVED that certified copies of this
5 Concurrent Resolution be transmitted to the Chairperson of the
6 Board of Land and Natural Resources, the Director of Health, and
7 the Mayor and Council Chairperson of the City and County of
8 Honolulu.
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