

HB 2521 HD1

RELATING TO HAZARDS TO PROPERTY

Appropriates funds to remove dangerous trees or branches that pose a hazard to other properties, remove or stabilize unstable rock and soil conditions, and clean streams and waterways to prevent flooding or other disasters. Effective July 1, 2014. (HB1521 HD1)

STATE OF HAWAII
DEPARTMENT OF DEFENSE
CIVIL DEFENSE DIVISION

TESTIMONY ON HOUSE BILL 2521 HD1
A BILL RELATING TO HAZARDS TO PROPERTY

PRESENTATION TO
THE SENATE COMMITTEES ON
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS (PSM)
AND
WATER AND LAND (WTL)

BY

DOUG MAYNE
VICE DIRECTOR OF STATE CIVIL DEFENSE

Chair Espero, Chair Solomon, and the Members of the Senate Committees on Public Safety, Intergovernmental and Military Affairs (PSM) and Water and Land (WTL),

I am Doug Mayne, Vice Director of State Civil Defense. I am testifying in **SUPPORT** of House Bill 2521 HD1.

This bill will support the cutting, trimming or removing of dangerous tress or branches identified under Act 76, enacted in the 2009 Legislature. Act 76 is now section 128-10.3, Hawaii Revised Statutes (Civil defense powers; mitigation of hazardous situations).

State Civil Defense has supported Act 76 related activities since its enactment in 2009 without increased personnel or dedicated funding. This appropriation will allow State Civil Defense to mitigate additional Act 76 situations.

Thank you for the opportunity to provide testimony in **SUPPORT** the intent of HB 2521 HD1.

From: ELLEN MORISHITA <ekomomai@hawaii.rr.com>
Sent: Wednesday, March 19, 2014 6:42 PM
To: PSMTestimony
Subject: HB 2521

Chair Will Espero and Chair Malama Solomon,

I am in support of Representative Gregg Takayama's HB 2521 which is to provide funds for the removal of hazardous trees.

There are two huge albizia trees in my back neighbors' yard. Several branches overhang my property and I constantly worry that they may fall in my yard. The homeowners on either side of this duplex have either removed or trimmed albizia trees on their property. However, these duplex homeowners have so far refused to trim/remove their trees. My 9 year old grandson plays in my backyard and I constantly worry that one day the branches may fall and severely injure or kill him.

An inspector from the Civil Defense office came to take photos and informed me that his office would be sending the duplex homeowners a letter requiring them to trim the trees as it poses a hazard.

I urge you to pass Representative Takayama's bill.

Thank you.

Ellen Morishita

From: Marv <wakabayam001@hawaii.rr.com>
Sent: Wednesday, March 19, 2014 8:51 PM
To: PSMTestimony
Subject: House Bill No. 2521, H.D. 1: Relating to Hazards to Property: E-mail testimony

Honorable Will Espero
Chair, Senate Public Safety, Intergovernmental
and Military Affairs Committee
Hawaii State Senate
State Capitol, Room 231
Honolulu, HI 9813

Chair Espero, Madame Chair Solomon and Committee Members:

RE: Hearing: March 20, 2014, 1:18 p.m., Conference Room 225
House Bill 2521, HD1 Relating to Hazards to Property

My name is Marvan Wakabayashi and I live in Pacific Palisades. I am in support of House Bill (H.B.) No. 2521 H.D. 1. Please accept this as my e-mail testimony. I am glad that this is being brought up since I believe my family and property are being affected by an albizia tree growing in the mini mall property adjacent to my house that overhangs into our property. The large trunk and branches creates some of these property and life threatening concerns: 1. Potential toppling of trunk and branches poses a danger to my family, grandkids and house 2. It threatens the safety of children from Palisades Elementary that use the area as a "short cut" as well as the mini mall building 3. The roots may have caused maintenance problems to the city sewer line 4. The large roots are damaging the concrete lined drainage swale 4. Leaves have clogged my gutter which require that I pay for the cleaning. The recent rain storms and exceptional high winds has increased our concerns Branches from the tree are always falling in my yard and I am worried about the safety of my children and grandchildren and my house. If they pose any kind of threat, the tree should be removed.

In February 2013 I sent a similar e-mail to Senator Clarence Nishihara pointing out the potential threat to my family and property.

On February 5, 2014, I sent a similar e-mail testimony to Representative Henry Acquino supporting House Bill No. 2521.

On February 18, 2014, I sent a similar e-mail testimony to Representative Sylvia Luke supporting House Bill No. 2521 H.D. 1.

This ends my testimony on H.B. No. 2521 H.D. 1. Please feel free to contact me as follow:

Marvan Wakabayashi
2333 Aalii Pl., Pearl City
808-455-1296

Sincerely,
Marvan Wakabayashi

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 19, 2014 9:04 PM
To: PSMTestimony
Cc: paulakomarajr@yahoo.com
Subject: *Submitted testimony for HB2521 on Mar 20, 2014 13:18PM*

HB2521

Submitted on: 3/19/2014

Testimony for PSM/WTL on Mar 20, 2014 13:18PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Honorable Will Espero
Chair, Senate Public Safety, Intergovernmental
and Military Affairs Committee
Hawaii State Senate
State Capitol, Room 231
Honolulu, HI 9813

Chair Espero, Madame Chair Solomon and Committee Members:

RE: Hearing: March 20, 2014, 1:18 p.m., Conference Room 225
House Bill 2521, HD1 Relating to Hazards to Property

I strongly support and urge that funds are appropriated to House Bill No. 2521, HD1, Relating to Hazards to Property.

I am a homeowner with a hazardous albizia tree hovering over my home that grew another 10 feet this year; it also affects the homes above. This albizia tree is located in my neighbor's hillside property.

For years, neighbors have been unsuccessful to persuade the owner to trim the branches and tree. My family is afraid that one day a 15+ mile winds/rainstorm will cause huge branches or even the tree to fall and destroy my home. The roots from the tree is causing soil erosion and cracks in the drainage/culvert.

Current worldwide weather environmental changes, i.e., East Coast freezing conditions, vanishing , volcanic eruptions, are warning signs for the State Government to take corrective action by implementing revisions to its contingency emergency plans.

I contacted Steve Seigler of the State Civil Defense, Department of Defense, about my concerns. He inspected the tree, claimed it hazardous, and said nothing could be done. The law states that is the owner's responsibility. The Department of Defense has no funds available and would need the Governor's approval to declare it as 'emergency' to enter the property.

Senator Espero, Senator Solomon and Committee Members, I urge you to appropriate funds to this Bill and amend HRS 128-10-3., Civil Defense Powers, Mitigation of Hazardous Situations.

Mark Kikuta
Concerned Property Owner