

DAVID Y. IGE  
GOVERNOR



**Testimony by:**  
FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 14, 2017  
1:15 p.m.  
State Capitol, Room 229

**H.B. 144, H.D. 1**  
**RELATING TO THE MITIGATION OF HAZARDOUS SITUATIONS STATEWIDE**

Senate Committee on Public Safety, Intergovernmental and Military Affairs

The Department of Transportation **supports** this bill which extends the lapse date for the mitigation of hazardous situations from June 30, 2017 to June 30, 2020.

H.B. 144, H.D. 1, provides funds to the Hawaii Emergency Management Agency to protect our critical infrastructures by proactively removing hazardous albizia trees from areas that compromise public safety, especially on our roadways.

Thank you for the opportunity to provide testimony.

STATE OF HAWAII  
DEPARTMENT OF DEFENSE  
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 144, HD1  
A BILL RELATING THE MITIGATION OF HAZARDOUS SITUATIONS STATEWIDE

PRESENTATION TO  
THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND  
MILITARY AFFAIRS (PSM)

BY

VERN T. MIYAGI  
Administrator, Hawaii Emergency Management Agency

Chair Nishihara, Vice-Chair Wakai and Members of the Committee.

I am Vern T. Miyagi, Administrator of Hawaii Emergency Management Agency (HI-EMA) and am testifying in **SUPPORT** of House Bill 144, HD1. The purpose of HB 144, HD1 is to extend the lapse date for the mitigation of hazardous situations from June 30, 2017 to June 30, 2019.

**Current Status of Program:**

- Status as of 1 March 2017: 612 cases received and 524 cases closed; 88 cases pending. Majority closed as the result of mediation efforts coordinated by HI-EMA between complainant and land owner. Tree removal contracts for 18 cases (\$321K) done or in progress; Arborist reports (\$75K). Total obligated/expended (\$396K); Remaining to be obligated/expended (\$604K).
- Reasons for the delays in executing the full \$1M.
  - o Lack of dedicated staff to implement the program – currently done by 1 HI-EMA staff member as an additional duty
  - o Required Site visits – Meetings with landowners and/or complainants
  - o Contracting arborist for HI-EMA
  - o Process delays:
    - Communication with parties
    - Identification of landowner
    - 1<sup>st</sup> Letter notification of landowner
    - Follow up letters to non-responses
    - Scheduling Arborist site visits
    - Obtaining consent letters from landowner and complainant
  - o Contracting tree removal companies in accordance with State Procurement regulations
  - o Cases may be resolved at no cost through mediation among parties by HI-EMA.

- **Program is successful.** During the recent Tropical Storm Darby event in 2016, minimal damage was reported by the counties regarding damage caused by downed Albizia trees. This is in sharp contrast to the major damage to highways and power lines caused by fallen Albizia trees on the Big Island during Tropical Storm Iselle in 2014. County, HELCO/HECO, and private efforts, in conjunction with this program (ACT 76/HRS 127A-18), were effective in culling these trees.

**Background:**

- 2014 Session: Act 122 provided \$1M to implement HRS 127A-18. Effective 1 July 2014 for a three- year period. Funding to lapse on 30 June 2017.
- 2015 Session: Act 119 aligned the \$1M of Act 122 with provisions of HRS 127A-18. Included in the Act was a stipulation requiring funding for personnel to administer the program.
- Program Execution: Despite stipulation, the program has been executed solely by the HI-EMA Future Operations Officer as an additional duty. Despite prior legislative efforts, HI-EMA has not been able to obtain authorization/funding to hire personnel to administer this program. In the 2015 session, House Bill 1344, that authorized the funding of two positions to administer HRS 127A-18, was amended to add in SB 533/HB592 that allowed news media access to areas closed by civil authorities during disasters/emergencies. Differences on this bill were not resolved and the bill carried over to the 2016 session. The conference committee met again but failed to resolve differences. Bill died at close of 2016 session. DOD has again submitted a request for one temporary full-time person to run this program and this request is included in the Governor's Administrative Bill for 2017.

I strongly urge you to **PASS** HB 144, HD1 to extend the program to June 30, 2019 and to support the Governor's Administrative Bill for 2017 that includes the **needed full time person** to manage this program.

Thank you for the opportunity to provide this testimony in **SUPPORT** of HB 144, HD1.

Vern T. Miyagi; [vern.t.miyagi@hawaii.gov](mailto:vern.t.miyagi@hawaii.gov); 808-733-4300

DEPARTMENT OF EMERGENCY MANAGEMENT  
**CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR



MELVIN N. KAKU  
DIRECTOR

PETER J.S. HIRAI  
DEPUTY DIRECTOR

March 13, 2017

The Honorable Clarence K. Nishihara, Chair  
The Honorable Glenn Wakai, Vice Chair  
Committee on Public Safety, Intergovernmental, and  
Military Affairs  
State Senate  
State Capitol  
415 South Beretania Street, Room 229  
Honolulu, Hawaii 96813

Dear Chair Nishihara, Vice Chair Wakai, and Members:

**SUBJECT: SUPPORT OF H.B. 144, HD1 RELATING TO THE MITIGATION OF  
HAZARDOUS SITUATIONS STATEWIDE**

I am Melvin Kaku, Director of the Department of Emergency Management (DEM), City and County of Honolulu (City). DEM strongly supports H.B. 144, HD1 which proposes to extend the lapse date for the mitigation of hazardous situations from June 30, 2017 to June 30, 2019.

Despite the enactment of Act 122 and the success of the Hawaii Emergency Management Agency (HI-EMA) Future Operations Officer in carrying out the mitigation of hazardous situations throughout the State, the program has been severely challenged since it cannot be executed solely by one HI-EMA individual as an additional duty. Despite prior legislative efforts, HI-EMA has not been able to obtain authorization/funding to hire personnel to administer this program.

I strongly urge you to PASS HB 144 HD1 to extend the program to June 30, 2019, and to support the Governor's Administrative Bill for 2017 that includes the needed full time person to manage this program. Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in blue ink that reads "Melvin N. Kaku". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melvin N. Kaku  
Director