

DAVID Y. IGE
GOVERNOR



ARTHUR J. LOGAN
MAJOR GENERAL
ADJUTANT GENERAL

KENNETH S. HARA
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON
HOUSE BILL 329 HD1, RELATING TO DISASTER RELIEF**

Before the House Committee on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

By

Thomas L. Travis
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chair Nishihara, Vice-Chair Wakai and Members of the Committee:

The Hawaii Emergency Management Agency (HI-EMA) supports House Bill 329 HD1.

House Bill 329 HD1 amends the Kauai flooding disaster relief appropriation made in Act 12, Session Laws of Hawaii 2018, to include flood mitigation measures. Extends the lapse date of the appropriation to June 30, 2020. Exempts the appropriation from certain restrictions on transfers of or changes to appropriations.

During a recent site visit to Kauai, HI-EMA saw firsthand the devastation of the floods that are ongoing and there is still a very clear and present need for an extension to the appropriation.

Note: My comments represent HI-EMA concerns at the state emergency management level only. I would defer to the separate comment/testimonies of the county emergency management agencies, as they would be the jurisdictions impacted by this legislation at the local level.

Thank you for the opportunity to provide testimony on House Bill 329 HD1.

Thomas L. Travis: Thomas.L.Travis@hawaii.gov; 808-733-4300



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

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

March 14, 2019
1:15 p.m.
State Capitol, Room 229

H.B. 329, H.D. 1
RELATING TO DISASTER RELIEF

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

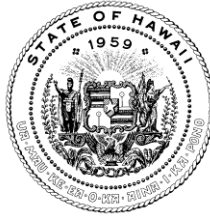
The Department of Transportation (DOT) **supports** this bill.

The bill proposes to amend the Kauai flooding disaster relief appropriation made in Act 12, Session Laws of Hawaii 2018, to include flood mitigation measures, to extend the lapse date of the appropriation to June 30, 2020 and to exempt the appropriation from certain restrictions on transfers of or changes to appropriations.

DOT supports this bill since all these amendments greatly enhance the effective use of the relief resources to achieve the appropriation's intent and will help reduce harm from future flooding events.

Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

**Thursday, March 14, 2019
1:15 P.M.**

State Capitol, Conference Room 229

**In consideration of
HOUSE BILL 329, HOUSE DRAFT 1
RELATING TO DISASTER RELIEF**

House Bill 329, House Draft 1 proposes to amend the Kauai flooding disaster relief appropriation made in Act 12, Session Laws of Hawaii 2018, to include flood mitigation measures, extend the lapse date of the appropriation to June 30, 2020, and exempt the appropriation from certain restrictions on transfers of or changes to appropriations. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department sustained substantial damage to its facilities on Kauai due to the heavy rains and flooding events in April 2018. The Department received Act 12 funds for recovery response for several locations and facilities and is currently implementing these projects. The clarification of mitigation measures and additional time for our flood response work will be appreciated.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
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

DEPARTMENT OF EMERGENCY MANAGEMENT
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET • HONOLULU, HAWAII 96813
PHONE: (808) 723-8960 • FAX: (808) 524-3439



KIRK CALDWELL
MAYOR

HIROKAZU TOIYA
DIRECTOR

March 11, 2019

REF: DEM2019-013

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

Dear Chair Nishihara, Vice Chair Wakai, and members of the Committee on Public Safety, Intergovernmental, and Military Affairs:

SUBJECT: House Bill 329 H.D. 1 Relating to Disaster Relief

My name is Hirokazu Toiya, Director of the Department of Emergency Management (DEM), City and County of Honolulu (City). DEM **SUPPORTS** H.B. No. 329 H.D. 1 which proposes to amend Act 12, Sessions Laws of Hawaii 2018. Act 12 appropriated disaster relief funds to Kauai and Oahu for flooding that occurred in April of 2018. Specifically, H.B. No. 329 clarifies the scope of the use of disaster relief funds for the County of Kauai to include mitigation measures and extends the lapse date of the appropriation to June 30, 2020. While DEM supports our sister County of Kauai in continuing their recovery efforts, DEM also has additional suggested amendments to this measure to allow for the continuation of recovery efforts and increase disaster resilience not only on Kauai but also on Oahu.

As the City continues our recovery from the damages caused by last April's flooding, we continue to be reminded of the vulnerabilities that we face as a community not only to flooding but to numerous other hazards. We will continue to recover and we will always work to improve our capabilities to respond to disasters, but we need to also reduce our long term vulnerabilities now so that we can reduce our future burden for response and recovery.

The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair
and Members of the Committee on Public Safety, Intergovernmental
and Military Affairs
March 11, 2019
Page 2

According to a report published in January 2018 by the National Institute of Building Sciences which reviewed results of federally funded mitigation grant programs from the past 23 years, every \$1 invested in mitigation can save \$6 in future disaster costs. While there continues to be federal funding available for mitigation, the availability of future funding remains uncertain and for those that are available, there are requirements to provide matching funds. I believe we have an opportunity to take action at the state and local levels to protect our people and communities.

The City is extremely grateful to the State Legislature and the Office of the Governor for providing the much needed support for our recovery efforts immediately after the floods that occurred in April of 2018. Should the Committee on Public Safety, Intergovernmental and Military Affairs agree with the additional amendments DEM has proposed to H.B. No. 329 H.D. 1 which would essentially extend the lapse date of the appropriation for the City to June 30, 2020 and authorize expenditures not only on recovery but all-hazard mitigation efforts across Oahu, the City can continue to work deliberately and carefully with our partners to implement cost effective measures to reduce our future vulnerabilities to disasters.

Suggested language to further amend H.B. No. 329, H.D. 1 is attached. Thank you for your consideration and the opportunity to testify in support of this measure.

Sincerely,



Hirokazu Toiya
Director

Attachment

A BILL FOR AN ACT

RELATING TO DISASTER RELIEF.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 12, Session Laws of Hawaii 2018, is
2 amended by amending sections 5 and 6 to read as follows:
3 "SECTION 5. (a) There is appropriated out of the
4 general revenues of the State of Hawaii the sum of
5 \$100,000,000 or so much thereof as may be necessary for
6 fiscal year 2017-2018 to protect the health, safety, and
7 welfare of the people, and provide relief from disaster
8 damages, losses, and suffering caused by the
9 extraordinary weather event that produced torrential
10 rains and resultant flooding in the county of Kauai in
11 April 2018[-] or to implement mitigation measures to
12 prevent and minimize the impacts of current or future
13 flooding in areas affected by the April 2018 flooding on
14 Kauai.

1 The sum appropriated shall be allotted to the
2 department of defense and expended by the adjutant
3 general solely for the express stated purposes of this
4 part; provided that the moneys appropriated pursuant to
5 this section shall not lapse at the end of the fiscal
6 year for which the moneys have been appropriated;
7 provided further that any moneys appropriated pursuant to
8 this section that are unencumbered as of June 30, [~~2019,~~
9 2020], shall lapse on that date[-]; provided further that
10 the moneys appropriated pursuant to this section shall be
11 exempt from section 37-74(d), Hawaii Revised Statutes.

12 (b) As used in this section, "mitigation measures"
13 means the reduction of harm from future flooding events
14 through structural and nonstructural actions,
15 interventions, and investments.

16 SECTION 6. (a) There is appropriated out of the
17 general revenues of the State of Hawaii the sum of
18 \$25,000,000 or so much thereof as may be necessary for
19 fiscal year 2017-2018 to protect the health, safety, and

1 welfare of the people, and provide relief from disaster
2 damages, losses, and suffering caused by the
3 extraordinary weather event that produced torrential
4 rains and resultant flooding in areas of the State other
5 than the county of Kauai in April 2018[-] or to implement
6 mitigation measures to prevent and minimize the impacts
7 of current or future natural or man-made events in
8 counties of the State other than the county of Kauai
9 affected by the April 2018 flooding.

10 The sum appropriated shall be allotted to the
11 department of defense and expended by the adjutant
12 general solely for the express stated purposes of this
13 part; provided that the moneys appropriated pursuant to
14 this section shall not lapse at the end of the fiscal
15 year for which the moneys have been appropriated;
16 provided further that any moneys appropriated pursuant to
17 this section that are unencumbered as of June 30, [2019,]
18 2020, shall lapse on that date[-]; provided further that

1 the moneys appropriated pursuant to this section shall be
2 exempt from section 37-74(d), Hawaii Revised Statutes.

3 (b) As used in this section, "mitigation measures"
4 means the reduction of harm from future natural or man-
5 made events through structural and nonstructural actions,
6 interventions, and improvements."

7 SECTION 2. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect upon its approval.

10

Report Title:

State Budget; Disaster Relief; Kauai; Oahu; Flooding;
Mitigation; Extension of Appropriation

Description:

Amends the Kauai and Oahu flooding disaster relief appropriation made in Act 12, Session Laws of Hawaii 2018, to include mitigation measures. Extends the lapse date of the appropriation to June 30, 2020. Exempts the appropriation from certain restrictions on transfers of or changes to appropriations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



**OFFICE OF THE MAYOR
THE COUNTY OF KAUA'I**

**DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR**

**Testimony of Derek S.K. Kawakami
Mayor, County of Kaua'i**

**Before the
Senate Committee on Public Safety, Intergovernmental, and Military Affairs
March 14, 2019; 1:15 pm
Conference Room 229**

**In consideration of
House Bill 329 HD1
Relating to Disaster Relief**

Honorable Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The County of Kaua'i is in **strong support** of HB 329 HD1 which proposes to amend the Kaua'i flooding disaster relief appropriation made in Act 12, Session Laws of Hawai'i 2018, to include flood mitigation measures. This measure also extends the lapse date of the appropriation to June 30, 2020, and exempts the appropriation from certain restrictions on transfers of or changes to appropriations.

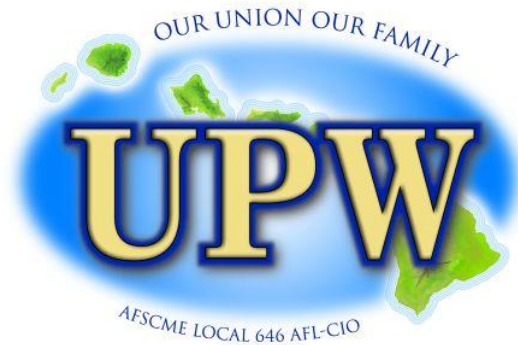
As I previously expressed when I testified before the joint hearing of the Senate Committee on Ways and Means and the House Committee on Finance in January, I would like to acknowledge that Kaua'i County would not be where we are today without the support of Governor David Ige and the State Legislature. Act 12, which provides the funding of Kaua'i's flood recovery efforts, served as a beacon of hope when we needed it most.

As we remain in the midst of these important repairs, we believe now is the time to address further mitigation efforts for the long-term health, safety, and well-being of our community rather than rebuild at a level which may not be sufficient to withstand future emergency disaster scenarios. For this reason, we are asking the Legislature to broaden the scope of Act 12 to include mitigation efforts to prevent the same destructive effects from reoccurring.

As you may know, four months after our April floods, Kaua'i was hit by the remnants of Hurricane Lane causing more flooding and damage to our island and increasing the needs of infrastructure recovery. We humbly request that you also broaden the scope of Act 12 to also include recovery measures from this storm.

Thank you for your consideration and your continued support of the island of Kaua'i.





THE HAWAII STATE SENATE

The Thirtieth Legislature
Regular Session of 2019

Committee On Public Safety, Intergovernmental,
and Military Affairs

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

DATE OF HEARING: Thursday, March 14, 2019
TIME OF HEARING: 1:15 p.m.
PLACE OF HEARING: Conference Room 229

TESTIMONY ON HB329, HD1 RELATING TO DISASTER RELIEF

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua, State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and four counties. The UPW also represents about 1,500 members of the private sector.

HB339, HD1 amends the Kauai flooding disaster relief appropriation in Act 12, Session Laws of Hawaii 2018, to include flood mitigation measures. The bill also extends the date of the appropriation to June 30, 2020. The UPW **strongly** supports this bill.

Thank you for the opportunity to testify on this measure.

HB-329-HD-1

Submitted on: 3/12/2019 2:53:04 PM

Testimony for PSM on 3/14/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
joel Guy	Individual	Support	No

Comments:

Aloha Chair Nishihara, Vice Chair Wakai and members of the committee,

Thank you for hearing this bill. Along with our friends and neighbors, my family continues to be effected by the April flooding. We are very appreciative of the support from the State Legislature and hope you will support HB 329 so we can continue in the recovery efforts.

I am in support of HB 329.

Thank you, Joel Guy

HB-329-HD-1

Submitted on: 3/13/2019 12:28:40 PM

Testimony for PSM on 3/14/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
uma nagendra	Individual	Support	No

Comments:

I support this legislation because it is important that recovery actions are able to consider mitigation and prevention measures. Returning to previous status quo leaves people and infrastructure vulnerable to changing conditions.