



CPN Info-Briefing

Master Testimony Package

09/28/23 10:00AM

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

September 26, 2023

TO: Honorable Senator Jarrett Keohokalole, Chair
Honorable Senator Carol Fukunaga, Vice Chair, and
Members of the Senate Committee on Commerce and Consumer Protection

FROM: Alice L. Lee
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee", is written over the printed name and title.

SUBJECT: **INFORMATIONAL BRIEFING OF SEPTEMBER 28, 2023; TESTIMONY REGARDING TO THE CURRENT STATE OF INSURANCE CLAIMS SUBMITTED FOR DAMAGE FROM MAUI WILDFIRES**

Thank you for the opportunity to testify regarding the current state of insurance claims submitted by residents and businesses in response to the devastating wildfires on Maui on August 8, 2023.

I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support all efforts and programs that will promptly assist our residents and businesses to rebuild their homes and businesses. They must be justly compensated for damages suffered in the disastrous wildfires.

I understand insurance companies should not be allowed to deny homeowners' wildfire-related claims by asserting the losses were due to a lack of coverage, nor should they be denied based on alleged zoning or building violations. Any possible violations of this kind have no relevance to the question of coverage. These unfair business practices would re-victimize vulnerable policyholders and should be prohibited.

The community's losses are massive and will take years to address. I appreciate you taking the time to come out in-person and listen to the community. Please do everything necessary to help minimize any impediments or delays to our community members' ability to receive the maximum compensation due.

Please let me know if there are ways the Council might assist.



- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company

TIMOTHY M. DAYTON, CPCU, GENERAL MANAGER ALASKA & HAWAII
711 Kapiolani Blvd., Suite 300 ■ Honolulu, HI 96813-5238

■ Email: tdayton@geico.com Direct: (808) 593-1875 ■ FAX (808) 593-1876 ■ Cell: (808) 341-9252

SENATE COMMITTEE ON COMMERCE and CONSUMER PROTECTION
Senator Jarrett Keohokalole, Chair; Senator Carol Fukunaga, Vice Chair

Briefing on Maui Wildfires Insurance Claims
Thursday, September 28, 2023

Chair Keohokalole, Vice Chair Fukunaga, and Members of the Senate CPC:

My name is Timothy M. Dayton, General Manager of GEICO; GEICO is the largest insurer of Hawaii Motor Vehicles. We provide the following status for claims related to the Maui fires. To date, GEICO has received over 500 motor vehicle claims stemming from the wildfires and we are proud to report that over 96% of these claims have already been settled or are currently in the repair process. GEICO's commitment for rapid response and resolution has been the paramount focus for our Company in helping to alleviate the hardships by those impacted by this tragedy. During the critical first two weeks following the Lahaina Maui Fires, GEICO responded to 401 reported claims and completed estimates and valuations on 397 of them.

Thank you for the opportunity to submit this information.

Sincerely,

Timothy M. Dayton, CPCU



**Comments Related to Insurance Gap, Housing and
Language Access in the Aftermath of the Maui Wildfires**

Dear Chair Keohokaloke, Vice Chair Fukunaga, and Honorable Members:

On behalf of Roots Reborn Lāhainā I offer the following comments regarding housing and language access.

It is my distinct honor and privilege to be actively engaged in serving the Maui immigrant community. Leveraging my proficiency in the Spanish language, I maintain direct interaction with the Latinx community. Alongside committed Roots Reborn volunteers, we have diligently extended support to an estimated 600+ immigrant individuals and families, offering our assistance in various capacities. Moreover, we have engaged in other ways with countless others. From the immediate aftermath of the fires to the present day, the most frequently recurring questions pertain to financial aid, long-term housing aid and language access.

It is imperative to acknowledge that a substantial portion of our immigrant community bears the additional hardship of being ineligible for insurance relief. Regrettably, many lack the capacity to own property, and a significant number are tenants. The acquisition of renters' insurance is, regrettably, not a widespread practice within our community. This is often attributed to the fact that many individuals and families maintain stringent budgetary constraints and, moreover, remain largely unaware of the availability of such an option to safeguard their interests. This insurance gap consequently renders these families and individuals ineligible to even submit applications for insurance relief.

The matter of long-term affordable housing has only been exacerbated following the fires. There is a legitimate concern for families and individuals who have been indirectly affected. Their residences remain intact but they have lost their jobs and all forms of income. These families still have rent and bills due with the added burden of landlords pressing for payment, tacking on interests and/or threatening eviction. While the current rent freeze is aimed at providing relief, it does little to assuage the apprehensions of these families, particularly those who are undocumented and carry a real fear of going into debt and getting into legal trouble. I fear a second wave of displacement should these families not be provided with adequate financial support.

Chuukese, Marshallese, Ilocano, Tagalog, Spanish and Tongan make up the most common languages spoken by our immigrant, refugee and limited English proficient (LEP) community. Nonetheless, we must highlight that none of the notices or informational material disseminated into our community is provided in these languages, including critical case work that provides advocacy, information and solutions to these families and individuals. It is crucial to underscore that language access is a human right. It is illogical and thoughtless to expect individuals who lack proficiency in the English language to understand specific instructions given to them, like notices mandating contact with the Red Cross within a 24-hour timeframe.

We thank you for your time and attention to these critical matters.

Sinceramente,

Veronica Mendoza Jachowski
Executive Director, Roots Reborn Lāhainā

PUBLIC TESTIMONY

Presented to the State Senate Briefing on Wildfire Insurance Claims

On behalf of Tagnawa

September 28, 2023

Dear Chair Keohokalole, Vice Chair Fukunaga, and Committee Members,

My name is Krizhna Bayudan and I represent Tagnawa, the primary Filipino outreach effort that has been conducting comprehensive needs assessment of Filipino fire survivors in Lahaina. To date, Tagnawa has surveyed approximately 30% of all Filipinos who are in emergency lodging at hotels.

I lived in Lahaina my whole life and am a Lahaina fires survivor currently sheltering in one of the hotels. I am personally bearing witness to insurance problems faced by the impacted community.

My parents, the homeowners of the home I grew up in in Wahikuli, are requesting home insurance companies across the State of Hawaii to extend living expenses to 36 months. Based on anecdotal evidence, a common theme amongst home insurance companies in our State is that they only cover rent for 12 months. I consider this unfair as our State and County are unable to provide a timeline for the process of rebuilding at this time. Twelve months is most certainly not enough time for families to rebuild their homes.

Another issue that I have been aware of is that living expenses by home insurance companies take into effect the day of disaster. This is unfair as most families are being housed under the Red Cross or have informally arranged for some other free accommodation. Rental coverage should only begin when families have a formal rental agreement.

In addition, some home insurance companies will cover rent until a certain amount of money has been exhausted. Again, I consider this unfair as most rentals are rent gouging in this time of need. Everyone is still coping with the emotional stress of losing their livelihoods so working extra hours at their jobs just to cover rent should be the last thing on their minds.

Accordingly, I humbly request that the Committee pursue legislative solutions where appropriate to address these critical problems.

Sincerely,
Krizhna Bayudan

A Real Reason

Buckminster Fuller wrote in one of his books about a time when a captain of a Navy ship was sent on a mission half way across the world, in a time of far less instant communication. He went on to say that a Navy Captain had to make big decisions on his own as there was no way to communicate back to base to his senior officers. He did make those important decisions. The implication was in those times, people had a better grasp of the Big Picture of things so as to make important intelligent decisions on their own. This Nation has had people making important decisions that affect us all and those decisions in recent times are hurting us all badly. What happened to that Big Picture decision making skill? Is it selfish Ego clouding those decisions? Is it Money Clouding those decisions. I am convinced at least partly, that good intentions were involved in many of those decisions. I am also convinced the other two above also had a part in these not so good decisions. A most difficult thing for many if not most humans to do these days it seems is to admit they are wrong, especially when money and that selfish aspect of Ego is involved. So it goes with what I see as a major contributing factor in the Horrific Maui Wildfires. There Is a direct causal link between this tragedy and Monsanto, Dole, the Sugar Growers and the decisions made to go with this out of balance and at times very toxic agriculture and chemical farming in general.

When will the people in charge of our government get real about what is going on around us? We are literally destroying ourselves and those in charge seem oblivious to what is causing it. Instead of doing things to correct it, they seem to blindly charge on doing things to make it worse. The Maui Wildfires are but one result. The overall deteriorating health of our Population is another result of some seemingly blind harmful actions/decisions, and they are related.

To me, the Maui Wildfires, to some degree, more or less, can be directly attributed to Chemical and GMO Agriculture that has been and is rampant in Hawaii for far too long. They are a direct causal factor in these Horrific Fires. What is the causal link between the wildfires and this bad agriculture? It is the Soil.

Soil continually depleted and made lifeless. The percentage of Organic matter in the soil is very important on a number of levels. This percentage varies in different locations. The important thing regarding these fires is, the Hawaiian Islands has some of the lowest Organic matter in their soils at this time due to abusive agriculture and other land use methods. What is the result of this? Low moisture held in the soil and a hotter dryer soil overall. It wasn't always like this. Human activity did this. Chemical GMO Growing did this.

Organic matter in the soil holds moisture and keeps it cooler. Cooler soil with diverse green growth attracts rainfall I think on a more regular basis. This can be partly at least, responsible for the Droughts. Depleted soils have lower Carbon uptake in soil that is deadened by chemicals that do not belong in a healthy soil environment resulting again in less Organic matter in that soil. Carbon that should be in the soil for abundant green growth is therefore left in the atmosphere in possibly too large amounts. I may not be getting this equation exactly right, however, intuitively it is not hard to see the equation if one is aware of the natural cycles. It IS a DIRECT causal factor in these Fires. Massive amounts of land was, and still is, farmed in this abuse-to-healthy soil way in Hawaii. This has gone on for many years. This has resulted in less regular rain to keep things moist and green. It even means less rain for the areas that

have not been abused hence an overall a deterioration in healthy balance in those areas also. This leading to a vicious overall downward cycle.

I remember reading the history of Hawaii, when outsiders came in and strove to make a living. One of the things they chose was pineapples. For sure an understandable endeavor. At that time, the soil had no chemical agriculture. Nature had made its balance and there was much organic matter in the rich live soil on the whole. As things happened, business was made to grow as the market expanded for these products. What was lacking in this rush to grow, pun intended, was a consciousness of the imbalance being created in the soil. This only got worse as in time farming became dependent of Chemical fertilizers and other harsh toxic to healthy soil additives. I remember reading years back that pesticides were used for Pineapples that were Banned in the rest of the Country. Right now, on Oahu, there are a number of different pesticides being sprayed on a regular basis that are BANNED in 8 other Nations. All this not so conscious activity again, slowly killing the live soil, step by step, year by year, reducing the organic matter in the soil. This left the soil hotter, dryer, less able to retain cooling moisture, on a large scale as the farming expanded. This hotter dryer soil on a large scale did not attract rainfall as it had when it was cooler and greener, thereby on a large scale setting up the Perfect (fire) storm. You can repeat this with Sugar Cane and WORSE GMO Corn and Soybeans. Harsher and Harsher chemicals were needed as the life, health and Organic content of the soil was squeezed out of the land. The land got hotter, dryer with less moisture in the soils contributing greatly to the Maui Wildfires we just saw.

You can extrapolate what I have said here to our Forests. We have cut down trees in Diverse forests, that were cool and green, a balanced healthy mix. Attracting rain in a natural pattern, one can even say on an energetic level. We replanted a single species with no diversity on the forest floor, depleted the life and organic matter in the forest soil, leaving it hotter and dryer, added chemicals to make this worse, further depleting the balanced Organic matter there and what do we have. Horrific Forest fires.

Things done with maybe good intentions are literally Killing us with unconscious activity, out of balance with Nature, thinking we know better than Nature. WE DO NOT.

I could go into detail on how we have done the same thing with our healthcare. It is a very similar scenario. I wrote about this in my first Substack post. It does not have to be this way. We can learn to work again in balance with Nature and live a healthy abundant life. God help us make the change. If we don't, the beautiful children we all cherish will not have a future.

Thomas Milcarek
68-078 Au St. # 103
Waialua, Hi. 96791
831 227 1919