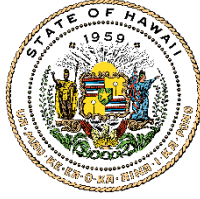


**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621  
HONOLULU, HAWAII 96809

**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**RYAN K.P. KANAKA'OLE**  
FIRST DEPUTY

**DEAN D. UYENO**  
ACTING 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

**Testimony of  
DAWN N. S. CHANG  
Chairperson**

**Before the Senate Committees on  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS  
and  
WATER AND LAND**

**Wednesday, February 7, 2024  
3:00 PM**

**State Capitol, Conference Room 225 and Via Videoconference**

**In consideration of  
SENATE BILL 2142  
RELATING TO WILDFIRE MITIGATION**

Senate Bill 2142 establishes the Wildfire Mitigation Working Group, requires a report to the Legislature, requires the Office of Planning and Sustainable Development to provide administrative support to the working group, and makes an appropriation. **The Department of Land and Natural Resources (Department) provides comments, recommending the bill be merged with Senate Bill 2842 as provided in the attachment.**

Mahalo for the opportunity to comment on this measure.

# S.B. NO.2X42

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## A BILL FOR AN ACT

RELATING TO WILDFIRE SAFETY AND PREVENTION.

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

1           SECTION 1. The legislature finds that the State recognizes  
2 the increasing threat of wildfires to our communities, natural  
3 resources, and economy, and that the State is committed to  
4 proactively addressing this growing challenge through a  
5 comprehensive and collaborative approach. Understanding the need  
6 for a multifaceted strategy, the legislature further finds that  
7 a working group comprised of government agencies, fire experts,  
8 landowners, and stakeholders is required to find solutions that  
9 address the State's wildfire preparedness and mitigation  
10 challenges and increase the State's wildfire preparedness and  
11 mitigation practices.

12           Accordingly, the purpose of this Act is to establish a  
13 wildfire mitigation working group.

14           SECTION 2. (a) There is established a wildfire mitigation  
15 working group to develop a state wildfire mitigation plan and to  
16 advise and make recommendations to state agencies concerning the  
17 state's wildfire safety and prevention efforts.

18           (b) The working group shall consist of the following

# S.B. NO.2X42

1 members:

2 (1) The chairperson of the board of land and natural  
3 resources, or the chairperson's designee, who shall  
4 serve as co-chair of the working group.

5 (2) The chairperson of the state fire council, or the  
6 chairperson's designee, who shall serve as co-chair of  
7 the working group.

8 (3) The director of the Hawaii emergency management  
9 agency or the director's designee;

10 (4) The director of the office of planning and  
11 sustainable development or the director's designee;

12 (5) The director of transportation or their designee;

13 (6) The director of taxation or their designee;

14 (7) A representative of the ranching industry, to be  
15 invited by the chairperson of the state fire council;

16 (8) One member who shall be appointed by the president of  
17 the senate;

18 (9) One member who shall be appointed by the speaker of  
19 the house of representatives; and

20 (10) A representative of a Hawaii wildfire management  
21 organization, to be invited by the chairperson of the  
22 State fire council.

# S.B. NO.2X42

- 1 (c) The state wildfire mitigation plan shall:
- 2 (1) Identify and map wildfire susceptibility and
- 3 vulnerability to determine which communities,
- 4 landscapes, buildings, and infrastructure are most
- 5 vulnerable to future wildfires
- 6 (2) Identify tax incentives and develop recommendations for
- 7 a competitive grant funding opportunity to reduce fire
- 8 risk and support fuels management on private lands.
- 9 (3) Develop and make recommendation for a system of
- 10 monetary support for managing public land to reduce fire
- 11 risk;
- 12 (4) Review the emergency resources that are available in
- 13 the State to be deployed to address fires; and
- 14 (5) Advise and make recommendations to state agencies
- 15 concerning the state's wildfire safety, prevention, and
- 16 mitigation efforts.
- 17 (c) No member of the working group shall be subject to
- 18 chapter 84, Hawaii Revised Statutes, solely because of
- 19 that member's participation on the working group.
- 20 (d) The working group shall be dissolved on December 31,
- 21 2026.

# S.B. NO.2X42

1 SECTION 3. In accordance with section 9 of article VII of  
2 the Hawaii State Constitution and sections 37-91 and 37-93,  
3 Hawaii Revised Statutes, the legislature has determined that the  
4 appropriations contained in Act 164, Regular Session of 2023,  
5 and this Act will cause the state general fund expenditure  
6 ceiling for fiscal year 2024-2025 to be exceeded by  
7 \$ or per cent. This current declaration takes  
8 into account general fund appropriations authorized for fiscal  
9 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
10 only. The reasons for exceeding the general fund expenditure  
11 ceiling are that:

- 12 (1) The appropriation made in this Act is necessary to  
13 serve the public interest; and
- 14 (2) The appropriation made in this Act meets the needs  
15 addressed by this Act.

16 SECTION 4. There is appropriated out of the general revenues  
17 of the State of Hawaii the sum of \$ or so much  
18 thereof as may be necessary for fiscal year 2024-2025 for  
19 the administrative expenses of the wildfire mitigation working  
20 group established by section 2 of this Act including the  
21 establishment of one full-time equivalent (1.0 FTE)  
22 administrative staff position.

# S.B. NO.2X42

1           The sum appropriated shall be expended by the department of  
2 land and natural resources for the purposes of this Act.

3           SECTION 5. This Act shall take effect on July 1, 2024.

4

5

INTRODUCED BY: \_\_\_\_\_

6

# S.B. NO. 2X42

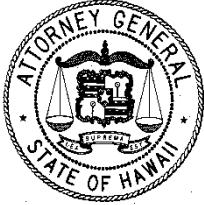
**Report Title:**

Wildfire Mitigation Working Group; Report; Expenditure Ceiling; Appropriation (\$)

**Description:**

Establishes the Wildfire Mitigation Working Group to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts.

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



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2024**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2142, RELATING TO WILDFIRE MITIGATION.

**BEFORE THE:**

SENATE COMMITTEES ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND  
MILITARY AFFAIRS AND ON WATER AND LAND

**DATE:** Wednesday, February 7, 2024      **TIME:** 3:00 p.m.

**LOCATION:** State Capitol, Room 225 and Videoconference

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Alison S. Kato or Bryan C. Yee, Deputy Attorneys General

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Chairs Wakai and Inouye and Members of the Committees:

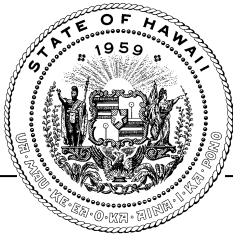
The Department of the Attorney General provides the following comments on this bill.

The purposes of this bill are to establish a wildfire mitigation working group to be administratively supported by the Office of Planning and Sustainable Development (OPSD) and to make an appropriation to OPSD.

Article V, section 6, of the Hawaii Constitution provides that all executive and administrative offices, departments, and instrumentalities of the State shall be allocated by law among and within its principal departments unless they are established for temporary and special purposes. This bill, however, does not establish the wildfire mitigation working group, which does not appear to be temporary, within a principal department. We recommend that this bill be amended to insert the following wording in section 2 of this bill on page 1, lines 15-16 (shown in Ramseyer format for convenience): “(a) There is established within the department of business, economic development, and tourism, to be administered by the office of planning and sustainable development, a wildfire mitigation working group to:”

Thank you for the opportunity to offer comments.





**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SYLVIA LUKE**  
LT. GOVERNOR

**MARY ALICE EVANS**  
INTERIM DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii'i 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii'i 96804

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <https://planning.hawaii.gov/>

Statement of  
**MARY ALICE EVANS, Interim Director**

before the  
**SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND  
MILITARY AFFAIRS AND SENATE COMMITTEE ON WATER AND LAND**

Wednesday, February 7, 2024

3:00 PM

State Capitol, Conference Room 225

in consideration of  
**BILL NO SB 2142**  
**RELATING TO WILDFIRE MITIGATION**

Chair Inouye, Chair Wakai, Vice Chair Elefante, Members of the Senate Committee on Public Safety and Intergovernmental and Military Affairs, and Members of the Senate Committee on Water and Land:

The Office of Planning and Sustainable Development (OPSD) offers **comments** on Senate Bill 2142, which establishes a wildfire mitigation working group and requires OPSD to provide administrative support to the working group.

OPSD believes that efforts to improve the state's wildfire preparedness and mitigation practices are vital to well-being of the people of Hawaii. And while OPSD appreciates the intent of this measure, OPSD notes that this measure is similar in nature to other measures currently proposed that also create groups to address wildfire preparedness and mitigation.

Furthermore, although OPSD has been involved in recovery efforts relating to the Maui wildfires and is eager to support the efforts of a wildfire mitigation working group, other agencies have more comprehensive expertise on fuel management, tax incentives, and other issues relating to wildfire mitigation and preparedness.

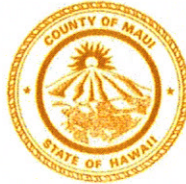
Thank you for the opportunity to testify on this measure.

**RICHARD T. BISSEN, JR.**  
Mayor

**JOSIAH K. NISHITA**  
Managing Director

**BRADFORD K. VENTURA**  
Fire Chief

**GAVIN L.M. FUJIOKA**  
Deputy Fire Chief



**DEPARTMENT OF FIRE & PUBLIC SAFETY**  
COUNTY OF MAUI  
200 DAIRY ROAD  
KAHULUI, MAUI, HAWAII 96732  
[www.mauicounty.gov](http://www.mauicounty.gov)

February 6, 2024

The Honorable Lorraine Inouye, Chair  
Committee on Water and Land  
State Senate  
State Capitol, Room 210  
Honolulu, Hawaii 96813

The Honorable Glenn Wakai, Chair  
Committee on Public Safety and  
Intergovernmental and Military Affairs  
State Senate  
State Capitol, Room 407  
Honolulu, Hawaii 96813

Dear Chairs Inouye and Wakai,

**SUBJECT: SENATE BILL (SB) 2142 RELATING TO WILDFIRE  
MITIGATION**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC suggests an amendment to SB 2142, which establishes the Wildfire Mitigation Working Group, requires a report to the Legislature, and requires the Office of Planning and Sustainable Development to provide administrative support to the working group.

On page 2 of SB 2142:

(1) The chairperson of the state fire council or the chairperson's designee, who shall serve as co-chair;

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723- 7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,

A handwritten signature in blue ink that reads "BK Ventura".

**BRADFORD K. VENTURA**  
Fire Chief

**HONOLULU FIRE DEPARTMENT  
KA 'OIHANA KINAI AHI O HONOLULU  
CITY AND COUNTY OF HONOLULU**

636 SOUTH STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 723-7139 • FAX: (808) 723-7111 • WEBSITE: honolulu.gov

RICK BLANGIARDI  
MAYOR  
MEIA



SHELDON K. HAO  
FIRE CHIEF  
LUNA NUI KINAI AHI  
  
JASON SAMALA  
DEPUTY FIRE CHIEF  
HOPE LUNA NUI KINAI AHI

February 6, 2024

The Honorable Lorraine Inouye, Chair  
Committee on Water and Land  
The State Senate  
State Capitol, Room 210  
Honolulu, Hawai'i 96813

The Honorable Glenn Wakai, Chair  
Committee on Public Safety and  
Intergovernmental and Military Affairs  
The State Senate  
State Capitol, Room 407  
Honolulu, Hawai'i 96813

Dear Chairs Inouye and Wakai:

Subject: Senate Bill (SB) 2142 Relating to Wildfire Mitigation

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD suggests the following amendment to page 2 of SB 2142, which establishes the Wildfire Mitigation Working Group and requires a report to the legislature and the Office of Planning and Sustainable Development to provide administrative support to the working group:

(1) The chairperson of the state fire council or the chairperson's designee, who shall serve as co-chair;

Should you have questions, please contact Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

SHELDON K. HAO  
Fire Chief

SKH/GL:cn

Ms. Jane Aloha  
June 30, 2023  
Page 2



**Hawaiian  
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEES ON  
PUBLIC SAFETY & INTERGOVERNMENTAL & MILITARY AFFAIRS  
AND  
WATER & LAND**

**SB 2142**

**Relating to Wildfire Mitigation**

Wednesday, February 7, 2024

3:00 PM

State Capitol, Conference Room 225

James Abraham  
Associate General Counsel, Legal Department  
Hawaiian Electric

Dear Chair Wakai, Chair Inouye, Vice Chair Elefante, and Members of the Committees,

My name is James Abraham and I am testifying on behalf of Hawaiian Electric providing **comments on and requesting an amendment to SB 2142**, Relating to Wildfire Mitigation. We are requesting that a representative of the electric utility be added to the working group.

Hawaiian Electric supports the objectives of SB 2142 and recognizes the need for a multifaceted wildfire mitigation strategy to protect our community. We appreciate the Legislature's recognition that a comprehensive and collaborative approach should include input from a variety of stakeholders, including government agencies, fire experts, economists, legal experts, industry leaders, and large landowners, among others.

Nearly six months after the tragic Maui wildfires, Hawaiian Electric continues to press ahead with recovery efforts and identify utility best practices and new technologies to prevent such a tragedy from ever happening again in our service

territory. The Maui wildfires have prompted us to revisit the assumptions and determinations of risk shaping our wildfire mitigation efforts. Hawaiian Electric intends to work closely with the community, including many of these same stakeholders, to address key issues such as whether a preemptive power shutoff program is appropriate for Hawai'i. We also have accelerated and intensified the implementation of our own Wildfire Mitigation Plan and have taken other immediate action steps, including implementing fast trip settings on circuits, re-inspecting all lines for vulnerabilities, and initiating the process for replacing poles, conductor and fuses in high-risk areas.

In recent years, the electric utility industry has had an increasing focus on wildfire mitigation, and Hawaiian Electric believes that inclusion of a member representing the electric utility industry in the working group established by this bill would be appropriate. In particular, an electric utility industry representative would aid the working group in its goal provided in subpart (a)(4) to "Work with industry leaders and unions to improve ignition-resistant building strategies that are both safe and cost-effective. . . ."

Accordingly, Hawaiian Electric recommends that the following additional language be added to subpart (b) of SB 2142:

(##) A representative of the electric utility industry;

We appreciate the Committees' consideration of the requested amendment.

Thank you for this opportunity to testify with comments on SB 2142.

Testimony by Dr. Clay Trauernicht IN SUPPORT of SB 2142, Relating to Wildfire Mitigation

For the hearing on February 7<sup>th</sup>, 2024, Conference Room 225

To Senator Glenn Wakai, Chair of the Committee on Public Safety and Intergovernmental and Military Affairs and Senator Lorraine Inouye, Chair of the Committee on Water and Land:

I am submitting testimony in support of SB 2142 Relating to Wildfire Mitigation. I have been working at the University of Hawai'i at Mānoa in the field of wildfire science and management since 2013, however, I am submitting this testimony as an individual and not as an official University of Hawai'i (UH) spokesperson.

The proposed bill correctly recognizes the threat that wildfire poses to the state and defines a set of critical tasks to be undertaken by the proposed Wildfire Working Group. The bill also identifies a wide breadth of relevant expertise to serve on the board.

I support this bill and have several comments. First, I strongly recommend including working group members with expertise on Hawaiian customary land care, resources use, and history to ensure these practices are elevated and recognized as potential solutions for wildfire risk reduction. Second, I recommend including expertise in law, especially as it relates to water rights and customary use, as water will be the key resource in determining which and where risk mitigation actions are possible. Third, I recommend seeking input from the prospective emergency response agency representatives regarding their capacity to serve and consider whether a single representative from the state fire council may be adequate. Finally, I recommend allowing for the possibility of a decentralized model, potentially organized as county-level subcommittees with selected members reporting to/participating in a state-level group, to facilitate both the consideration of place-based issues and improve the efficiency of the work.

Sincerely,



Clay Trauernicht, PhD  
Extension Specialist in Ecosystems and Fire  
University of Hawai'i at Mānoa



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

**LATE**

**HEARING BEFORE THE SENATE COMMITTEES ON  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS and WATER AND LAND  
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225  
Wednesday, February 7, 2024 AT 3:00 P.M.**

To The Honorable Senator Glenn Wakai, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Members of the Committee on Public Safety and Intergovernmental and Military Affairs  
To The Honorable Senator Lorraine R. Inouye, Chair  
The Honorable Senator Brandon J.C. Elefante, Vice Chair  
Members of the Committee on Water and Land

**SUPPORT SB2142 RELATING TO THE WILDFIRE SAFETY AND PREVENTION**

The Maui Chamber of Commerce **SUPPORTS SB2142** which establishes the Wildfire Mitigation Working Group, requires a report to the Legislature, and requires the Office of Planning and Sustainable Development to provide administrative support to the working group.

The Chamber supports the intent and, coming from Maui, we truly appreciate all of the efforts to help our island and the rest of our state given the lessons learned from the August 8 wildfires. However, we see a lot of overlap in proposed bills (bills on funding equipment and creating numerous boards and workgroups (SB2808, SB2356, SB2842, SB2143, etc.). There are many ideas addressing the same/similar solutions. Some appear to overlap in personnel and equipment and other ideas may just need to be integrated into a comprehensive program. While we appreciate the intent of all wildfire-related bills, we are hoping they can be integrated into a more cohesive and comprehensive plan to avoid duplication and overspending and get the best return on our investment, given that taxpayers will be expected to pay more for these new investments.

Senate Bill 2356 (Establishes within the Department of Defense the position and duties of State Wildfire Marshal, the position and duties of State Wildfire Chief, the State Wildfire Corps, and the State Wildfire Fuel Reduction Task Force) is a bill that could encompass the cohesive and comprehensive plan. We believe elements of SB2142 could be included in the State Wildfire Fuel Reduction Task Force, like having 3 economists in the group. Additionally, we would like to see each islands' major Chamber of Commerce included in the group as well as 2 members from the business sector.

For these reasons we **support SB2142**, but request that the Senate consider our comments on consolidation of bills into a comprehensive and coordinated plan.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.