

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

**Before the House Committee on
FINANCE**

**Thursday, March 28, 2024
3:30 PM**

State Capitol, Conference Room 308 and Via Videoconference

**In consideration of
SENATE BILL 2143 SENATE DRAFT 1 HOUSE DRAFT 1
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

Senate Bill 2143 Senate Draft 1, House Draft 1 proposes to appropriate funds to the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife to provide grants to nonprofit organizations for wildfire preparedness and mitigation programming. **The Department of Land and Natural Resources (Department) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive FY 2025 Supplemental Budget Request.**

The Department's Division of Forestry and Wildlife (DOFAW) is the primary responder for wildland fires across 1,368,002 acres of the State of Hawai'i's forested watersheds (or 26% of the land area in Hawai'i) and supports federal and county responders on the remaining regions of the State. DOFAW is also tasked with coordinating prevention outreach and planning efforts, which include assisting communities in developing Community Wildfire Protection Plans, encouraging communities to join the National Fire Protection Association's Firewise Community Program, and applying for federal grant programs like the United States Forest Service's (USFS) Wildland Urban Interface Grant Program and Community Wildfire Defense Grant Program. DOFAW does not have the staffing capacity or resources to adequately provide programming for all the State's wildfire preparedness needs and instead partners with nonprofit organizations such as the Hawai'i Wildfire Management Organization to fill this gap. Wildfire prevention nonprofits cannot count on receiving federal grant funding annually through DOFAW and are often outcompeted by larger, national nonprofits for federal grants. Therefore, it is necessary to secure permanent State funding to support nonprofit partners that provide education, training, and support for communities and large landowners to manage fire risks through mitigation plans and projects. Providing permanent annual funding for wildfire prevention nonprofits through DOFAW

will increase the Department's capacity to assist communities in planning, preparing, and mitigating the potential impacts of future wildfires that are growing in frequency, size, and duration due to increased periods of drought coupled with heavy loading of wildfire fuels on unmanaged lands. There is an urgent need for additional funding and resources for the State's fire service to do pre-suppression work such as fuel reduction and improved forest management, maintain readiness and capacity for fire suppression, and restore and recover landscapes in the aftermath of wildland fires. By funding pre-suppression and recovery, including wildfire preparedness and mitigation programming, public exposure to catastrophic wildland fires will decrease.

Mahalo for the opportunity to provide testimony in support of this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
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HONOLULU, HAWAII 96813
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March 26, 2024

The Honorable Kyle Yamashita, Chair
Committee on Finance
House of Representatives
State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Yamashita:

Subject: Senate Bill (SB) 2143, Senate Draft (SD) 1, House Draft (HD) 1, Relating to the Department of Land and Natural Resources (DLNR)

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC supports SB 2143, SD1, HD1, which appropriates funds to the Wildfire Management Branch of the Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) to provide nonprofit organizations with grants for wildfire preparedness and mitigation programming.

Wildfires are a serious threat to Hawaii's native ecosystems and wildland urban interface areas. Due to climate change and associated droughts, the annual area burned in Hawaii has grown in past decades. In fact, the percentage of land area burned annually in Hawaii exceeds the national average and, in some years, it surpasses the 12 most fire-prone western states.

The SFC agrees that DOFAW has been underfunded for providing grants to and working with nonprofit organizations, such as the Hawaii Wildfire Management Organization (HWMO). This measure would support those nonprofit organizations that specialize in wildfire preparedness and mitigation through grant disbursements.

As an example, the HWMO could use additional funding for the statewide Firewise Communities program, that supports communities to reduce wildfire risk and the Wildfire Resilient Landscapes program, which provides education and training for large landowners to manage fire risks through mitigation plans and projects.

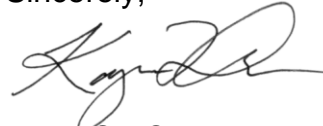
Funding and support for DOFAW, HWMO, and other nonprofits will be invaluable in protecting the environment, residences, buildings, and critical infrastructure from the

The Honorable Kyle Yamashita, Chair
Page 2
March 26, 2024

threat of wildland fires throughout Hawaii. The SFC urges your committee's support on the passage of SB 2143, SD1, HD1.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kazuo Todd", written in a cursive style.

KAZUO TODD
Chair

KT/GL:



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

ON THE FOLLOWING MEASURE:

S.B. NO. 2143, S.D. 1, H.D. 1, RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, March 28, 2024 **TIME:** 3:30 p.m.

LOCATION: State Capitol, Room 308 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Miranda Steed, Deputy Attorney General

Chair Yamashita and Members of the Committee:

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

The bill makes an appropriation for the Wildfire Management Branch of the Department of Land and Natural Resources' Division of Forestry and Wildlife to support nonprofit organizations that specialize in wildfire preparedness and mitigation programming through grant disbursements.

The bill provides an appropriation of public money to implement the wildfire prevention nonprofit organization grant disbursement program (page 3, line 16, through page 4, line 4). Article VII, section 4, of the Constitution of the State of Hawai'i provides that, "[n]o grant of public money or property shall be made except pursuant to standards provided by law." This bill does not include standards by which the Department of Land and Natural Resources is to distribute the funds to program recipients. We therefore recommend that this bill be amended to insert sufficient standards for the Department of Land and Natural Resources to distribute the funds appropriated in this bill as grant disbursements to nonprofit groups. Examples of existing statutes that provide standards for agencies to expend funds are sections 10-17, 210D-11, and 383-128, Hawaii Revised Statutes. Additionally, we have attached draft standards to this

testimony as a sample to work from, and we are happy to work with the Committee to develop more specific standards.

Thank you for the opportunity to provide comments.

POSSIBLE STANDARDS FOR THE GRANTS IN THIS BILL

I. DEFINITIONS

Definitions. As used in [this part/this section/section 171-], unless the context clearly requires otherwise:

"Grant" means an award of state funds to a specified recipient to assist with education, training, and support to manage wildfire risks through mitigation plans and projects.

"Recipient" means an organization receiving a grant.

II. APPLICATIONS

Applications for grants. Requests for grants shall be submitted to the department of land and natural resources in accordance with the administrative rules adopted by the department to administer the grant program. Each request shall at a minimum state:

- (1) The name of the organization requesting the grant funds;
- (2) The reasons for education, training, and support to manage wildfire risks, as well as proposed mitigation plans and project details, as well as costs; and
- (3) Proof of nonprofit status.

III. STANDARDS

Qualifying standards for grant funds. A nonprofit organization applying for a grant shall meet the following standards; specifically, the applicant shall provide proof that the applicant:

- (1) Is a nonprofit organization registered in the State of Hawaii;
- (2) Is in good standing with all State of Hawaii requirements to be active and in good standing;

- (3) Complies with all federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
- (4) Agrees not to use state funds for entertainment or lobbying activities;
- (5) Allows the state agency to which funds for the grant were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant;
- (6) Satisfies any other standards that may be required by the source of funding; and
- (7) Meets all other standards prescribed in rules adopted by the department of land and natural resources.

IV. REVIEW OF APPLICATION

Required review of requests for grant funds. (a) Every request for grant funds shall be reviewed in accordance with this section.

(b) Every request for a grant shall be submitted to the department of land and natural resources on an application form provided by the department. Each application shall at a minimum contain the information required by [section/subsection].

(c) The department of land and natural resources shall review each request to determine whether the applicant is eligible to receive grant funds.

(d) The department of land and natural resources shall make a final decision on each request.

(e) The department of land and natural resources shall inform each grant applicant of the disposition of the application's request.

(f) The appeal process in the department's rules shall be available for any applicant who is denied a request for grant funds.

V. CONTRACTS

Contracts. The department of land and natural resources shall not release the public funds approved for a grant unless a contract is entered into between the department and the recipient. The department of land and natural resources shall develop and determine, in consultation with and subject to the review and approval of the attorney general, the specific contract form to be used.

VI. ALLOTMENT

Allotment. Appropriations for grants to be made under this Act shall be subject to the allotment system generally applicable to all appropriations made by the legislature.

VII. MONITORING AND EVALUATION

Monitoring and evaluation. (a) Every grant contract shall be monitored by the department of land and natural resources to ensure compliance with this [section].

(b) Every grant contract shall be evaluated annually to determine whether the grant attained the intended results in the manner contemplated.

(c) The department of land and natural resources shall adopt rules under chapter 91 for monitoring and evaluating grant contracts.

VIII. DUTY TO DISCLOSE AND PENALTY

Continued eligibility. Any recipient who withholds or omits any material fact or deliberately misrepresents a fact to

Testimony of the Department of the Attorney General

Thirty-Second Legislature, 2024

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the department of land and natural resources shall be in violation of this part. In addition to any other penalties provided by law, any recipient found by the department of land and natural resources to have violated this part or the terms of its contract shall be prohibited from applying for any department grants for a period of one year from the date of termination.

**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

March 28, 2024

The Honorable Kyle Yamashita, Chair
Committee on Finance
House of Representatives
State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Yamashita:

Subject: Senate Bill (SB) 2143, Senate Draft (SD) 1, House Draft (HD) 1 Relating to the Department of Land and Natural Resources (DLNR)

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports SB 2143, SD 1, HD 1, which appropriates funds to the DLNR's Division of Forestry and Wildlife (DOFAW) to provide nonprofit organizations with grants for wildland fire preparedness and mitigation programming.

Wildland fires are a serious threat to Hawaii's native ecosystems and wildland urban interface areas. Due to climate change and associated droughts, the annual land area burned in Hawaii has increased in past decades. In fact, the percentage of land area burned annually in Hawaii exceeds the national average and, in some years, surpasses the 12 most fire-prone western states.

The HFD agrees that the DOFAW has been underfunded for providing grants to and working with nonprofit organizations, such as the Hawaii Wildfire Management Organization (HWMO). This measure would support those nonprofit organizations that specialize in wildland fire preparedness and mitigation through grant disbursements.

As an example, the HWMO could use additional funding for the statewide Firewise Communities program, which supports communities to reduce wildland fire risk, and the Wildfire Resilient Landscapes program, which provides education and training for large landowners to manage fire risks through mitigation plans and projects.

The Honorable Kyle Yamashita, Chair
Page 2
March 28, 2024

Funding and support for the DOFAW, the HWMO, and other nonprofits will be invaluable in protecting the environment, residences, buildings, and critical infrastructure from the threat of wildland fires throughout Hawaii.

The HFD urges your committee's support on the passage of SB 2143, SD 1, HD 1.

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



Testimony of **Lahaina Strong**
Before the House Committee on
Finance

In Consideration of Senate Bill No. 2143 SD1 HD1
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

To Chair Yamashita, Vice Chair Kitagawa and the honorable members of the committee,

We are writing on behalf of Lahaina Strong, an organization that was initially formed in 2018 following the Hurricane Lane fire in Lahaina and re-energized last year after the devastating Lahaina fires on August 8. Lahaina Strong has been at the forefront of relief and advocacy efforts, including initiating the "Fishing for Housing" camp, which has been in operation for over 19 weeks along Kaanapali Beach, highlighting the need for dignified housing for Lahaina fire victims. Our organization is the largest grassroots, Lahaina-based community organization, with over 20,000 supporters, engaged in emphasizing the importance of local voices and community-driven solutions.

Lahaina Strong stands in support of SB2143 SD1 HD1, which would appropriate funds to the Wildfire Management Branch of the Department of Land and Natural Resources Division of Forestry and Wildlife to provide nonprofit organizations with much-needed grants for wildfire preparedness and mitigation programming.

We would like to emphasize the critical need for immediate action to address the escalating threat of wildfires in our state. The urgency of this matter has been underscored by the tragic events of the August 2023 Maui wildfires, which ravaged communities and landscapes, leaving a trail of destruction in its wake. These catastrophic events serve as a stark reminder of the urgent need to strengthen our wildfire management efforts and invest in proactive measures to mitigate future disasters.

If it happened to Lahaina, it could happen anywhere. As stewards of this unique environment, we must recognize that our current approach to wildfire management is woefully inadequate. The underfunding of the wildfire management branch of the Department of Land and Natural Resources Division of Forestry and Wildlife has left us vulnerable and ill-prepared to confront this mounting crisis.

Moreover, the reliance on nonprofit organizations, such as the Hawaii Wildfire Management Organization, highlights the urgency of securing sustainable funding to support their vital work in wildfire preparedness and mitigation programming. These organizations play a pivotal role in educating communities, training landowners, and implementing mitigation plans to reduce the risk of catastrophic wildfires.

Lahaina Strong stands in support of SB2143 SD1 HD1, which seeks to appropriate necessary funds to bolster the wildfire management branch and provide essential support to nonprofit partners. We must appropriate funds to organizations willing to engage in boots-on-the-ground efforts to mitigate the future risk of wildfires to our communities. These frontline organizations are instrumental in implementing proactive measures such as fuel reduction, firebreak construction, and community outreach initiatives.

Mahalo for your attention and commitment to the well-being of our community.

Sincerely,

Jordan Ruidas, Courtney Lazo, Pa'ele Kiakona

Lahaina Strong



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

HEARING BEFORE THE HOUSE COMMITTEE ON FINANCE
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 308
Thursday, March 28, 2024 AT 3:30 P.M.

To The Honorable Kyle T. Yamashita, Chair
The Honorable Lisa Kitagawa, Vice Chair
Members of the Committee on Finance

SUPPORT SB2143 SD1 HD1 RELATING TO THE WILDFIRE SAFETY AND PREVENTION

The Maui Chamber of Commerce **SUPPORTS SB2143 SD1 HD1.**

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.

While the other bills mentioned above create new departments, positions, and/or task forces under the state, we appreciate that you're looking at a private sector solution through nonprofit organizations to help address wildfire preparedness and mitigation. *The nonprofit sector may be able to reach more people in their local communities and bring in volunteers which could save money overall. Therefore, we would like to see this discussion continue and feel this should be included in a comprehensive plan.*

For these reasons we **support SB2143 SD1 HD1**, but **request that the House 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.



Hawai'i Forest Industry Association

7192 Kalaniana'ole Hwy
Suite A-143A, #249
Honolulu, HI 96825
Phone: 808/933/9411
Email: hfia@hawaiiiforest.org

Date: 03/27/24

TO: FIN Chair Yamashita, Vice Chair Kitagawa, and FIN Committee Members Aiu, Chun, Cochran, Takuya Garrett, Kahaloa, Kila, Kobayashi, Lamosao, Morikawa, Nishimoto, Poepoe, Takenouchi, Alcos, Ward

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Testimony in Support of SB2143 SD1 HD1 Relating to the Department of Land and Natural Resources

Dear Chair Yamashita, Vice Chair Kitagawa and FIN Committee Members,

On behalf of the Directors and members of the Hawai'i Forest Industry Association (HFIA), please support SB2143 SD1 HD1 Relating to the Department of Land and Natural Resources.

The Hawaii Forest Industry Association recognizes the State's need for Hawaii's nongovernment Natural Resources Sector partners, consisting of numerous non-profits (as well as private entities and landowners), to participate in wildfire preparedness and mitigation efforts. Many of these groups are already doing this naturally through their work, via land management. HFIA's own sister organization, the Hawaii Forest Institute (HFI), is doing this via the creation, promotion and dispersal of a native plant guidebook (Go Native), encouraging Hawaii residents and businesses to plant using native species as opposed to resource exhaustive exotic species. HFI is coordinating with the Hawaii Wildfire Management Organization to supply them with copies of the guidebook to inform their work.

Considering warming climate trends, windy and dry conditions, vast expanses of pyrophytic weeds and grasses surrounding our communities and covering concerningly sizeable swaths of our islands, and the fact that the State has more land than it can successfully manage, any additional funding available to be awarded to nonprofits to either continue and/or increase their wildfire preparedness and mitigation efforts should be widely supported.

We hope that you will support SB2143 SD1 HD1.

Mahalo for your time and consideration,

Guy Cellier, President
Hawai'i Forest Industry Association

HFIA's mission is to promote healthy and productive forests and a sustainable forest industry through management, education, planning, information exchange, and advocacy. HFIA has over 130 members including woodworkers, landowners, sawyers, foundations, foresters, growers, educators, environmentalists, architects, millers, ranchers, and others interested in HFIA's mission and goals.

HFIA Board of Directors

Officers: President Guy Cellier, Vice President Irene Sprecher, Secretary Taylor Coons, Treasurer Wade Lee
Directors: Jeremy Campbell, Aaron Hammer, Nicholas Koch, Michael Sowards, Aileen Yeh