

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | 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
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 2842
RELATING TO WILDFIRE SAFETY AND PREVENTION**

Senate Bill 2842 establishes the Wildfire Safety Advisory Board within the Department of Land and Natural Resources (Department) to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts. **The Department provides comments on the bill, recommending the bill be merged with Senate Bill 2142 as written in the attached draft.**

Mahalo for the opportunity to provide comments on this measure.

S.B. NO.2X42

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.

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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.

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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

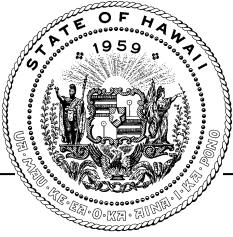
Report Title:

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.



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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
INTERIM DIRECTOR

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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 2842
RELATING TO WILDFIRE SAFETY AND PREVENTION

Chair Wakai, Chair Inouye, 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 2842, which establishes a Wildfire Safety Advisory Board within the Department of Land and Natural Resources to make recommendations concerning wildfire safety as well as to develop and update a wildfire mitigation plan.

OPSD appreciates the intent of this measure and considers efforts to prevent and mitigate the effects of future wildfires as imperative for the state of Hawaii. However, OPSD notes that this measure bears similarities to other concurrently proposed measures, which establish entities tasked with addressing wildfire preparedness and mitigation. OPSD is supportive of coordination and alignment to prevent duplication of effort and overlapping responsibilities.

Thank you for the opportunity to testify on this measure.

TESTIMONY OF
LEODOLOFF R. ASUNCION, JR.
CHAIR, PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

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

February 7, 2024
3:00PM

Chairs Inouye and Wakai, Vice Chair Elefante, and Members of the Committees:

MEASURE: S.B. No. 2842

TITLE: RELATING TO WILDFIRE SAFETY AND PREVENTION.

DESCRIPTION: Establishes the Wildfire Safety Advisory Board within the Department of Land and Natural Resources to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts.

POSITION:

The Public Utilities Commission (“Commission”) offers the following comments for consideration.

COMMENTS:

The Commission appreciates the intent of this measure to establish a Wildfire Safety Advisory Board that would advise state agencies, including the Commission, on issues concerning the State’s wildfire safety and prevention efforts. The Commission understands the importance of reducing the likelihood and impact of wildfires across the State and is committed to supporting such efforts in its work.

In 2019, the California State Legislature passed Assembly Bill (“AB”) No. 1054 and Assembly Bill No. 111, collectively referred to as the 2019 Wildfire Legislation. AB 111 established the Office of Energy Infrastructure Safety (OEIS) within the state’s Natural Resources Agency, which eventually replaced the former California Public Utilities Commission (CPUC) Wildfire Safety Division. CPUC and OEIS cooperatively develop consistent approaches to wildfire management and electric infrastructure safety, including

the sharing of information, data, and records.¹ These entities are advised by the California Wildfire Safety Advisory Board established in AB 1054, whose members comprised independent industry and academic experts to advise OEIS on utility wildfire mitigation plans, requirements for these plans, and other wildfire safety matters. The Commission observes that the Wildfire Safety Advisory Board proposed in S.B. 2842 would play a similar role. Moreover, a Wildfire Safety Advisory Board housed within the Department of Land and Natural Resources (DLNR) would enhance the Commission's capacity to effectively develop and evaluate utility wildfire prevention efforts, and would offer more holistic insights into other critical aspects of utility wildfire mitigation such as land use vegetation management.

The Commission observes that DLNR recommends the measure be merged with S.B. 2142 as written in their SD1 draft. To better clarify the intent of these measures, the Commission recommends the following amendments to page 3 lines 14-16 of DLNR's SD1 draft :

- (5) Advise and make recommendations to state agencies concerning the state's wildfire safety, prevention, and mitigation efforts, including recommendations to the public utilities commission on all of the following:
 - (A) Appropriate performance metrics and processes for determining an electric utility's compliance with its approved wildfire protection plan;
 - (B) Appropriate requirements in addition to the requirements set forth in [S.B. 3096 §269-C] for the risk-based wildfire protection plan; and
 - (C) The appropriate scope and process for assessing the safety culture of an electric utility.

Thank you for the opportunity to testify on this measure.

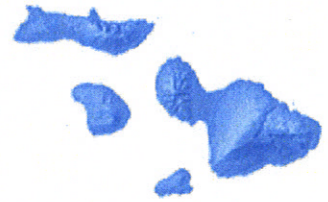
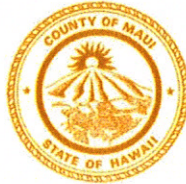
¹ See Memorandum of Understanding between the California Public Utilities Commission and the Office of Energy Infrastructure Safety, available at: <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/safety-policy-division/documents/20210712-cpucoeis-mousigned.pdf>.

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

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) 2842 RELATING TO WILDFIRE SAFETY
AND PREVENTION**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC supports SB 2842, which establishes the Wildfire Safety Advisory Board within the Department of Land and Natural Resources to advise and make recommendations to state agencies concerning to State's wildfire safety and prevention efforts.

Wildfires are a serious threat to Hawaii's native ecosystem 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 supports SB 2842 to help assess and mitigate Hawaii's wildfire risks.

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

Sincerely,

A handwritten signature in blue ink that reads "Brad 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) 2842 Relating to Wildfire Safety and Prevention

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD supports SB 2842, which establishes the Wildfire Safety Advisory Board within the State of Hawai'i's (State) Department of Land and Natural Resources to advise and make recommendations to State agencies concerning the State's wildland fire safety and prevention efforts.

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

The HFD urges your committees' support of SB 2842 to help assess and mitigate Hawai'i's wildland fire risks.

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

Sincerely,

SHELDON K. HAO
Fire Chief



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

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

FEBRUARY 7, 2024

SB 2842, RELATING TO WILDFIRE SAFETY AND PREVENTION

POSITION: SUPPORT

The Democratic Party of Hawai'i **supports** SB 2842, relating to wildfire safety and prevention. Pursuant to the “Public Safety and Disaster and Emergency Preparedness” section of the Democratic Party of Hawai'i platform, the party supports “policy that protects the people of Hawai'i and their property against natural and man-made disasters,” and “believes that climate change is real, affirms human activity as its primary cause and main driver, and supports emergency preparedness and planning efforts to mitigate its impacts.”

Last year, we witnessed the impact of the climate emergency on our shores. On August 8, 2023, wildfires swept across Maui and killed at least 100 people, making it one of the nation's deadliest natural disasters. The spread of the fires has been attributed to climate change conditions, such as unusually dry landscapes and the confluence of a strong high-pressure system to the north and Hurricane Dora to the south.

The wildfires destroyed over 2,200 structures, including numerous residential buildings, historic landmarks, and school facilities. In September

2023, a report from the United States Department of Commerce estimated the total economic damage of the wildfires to be roughly \$5.5 billion. According to a report issued by the University of Hawaii Economic Research Organization on September 22, 2023, the unemployment rate on Maui was expected to soar above 11 percent by the end of 2023 and remain above 4 percent through 2026. A total of 10,448 new claims for unemployment in Maui County were filed in the four weeks following the wildfires, about 9,900 more than the preceding four weeks. Displaced families and workers who lost their jobs are still attempting to recover from the disaster, with a full recovery expected to take many years to achieve.

Accordingly, we must do all we can to prevent tragedies like this from occurring again on our shores, including by investing in long-term planning and interagency coordination to mitigate future emergencies. The Hawai'i Emergency Management Agency released an updated State Hazard Mitigation Plan last November, in which the state's wildfire risk level soared 74 percent to 6.6 from its previous level of 3.8 in the 2018 draft of the report.

The updated hazard mitigation plan contains statistics on how many people by county are at risk from wildfire hazards. For Honolulu, 427,293 people could potentially be affected by wildfires, which was listed as the highest risk with a risk factor of 5.7. Maui County also has wildfires as its highest emergency risk with a score of 5.8 and 81,424 people at risk. On Kaua'i, wildfires carry a 5.6 risk level and threaten 27,604 people. Hawai'i Island has a wildfire risk score of 4.6 and 32,080 people at risk.

Wildfires are now designated as the top hazard in the state according to the updated HIEMA report. It is incumbent upon policymakers to respond with urgency to keep our communities safe.

Mahalo nui loa,

Kris Coffield
Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons
Co-Chair, Legislative Committee
(808) 352-6818
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Testimony by Dr. Clay Trauernicht IN OPPOSITION to SB 2842, Relating to Wildfire Safety and Prevention

For the hearing on February 7th, 2024, Conference Room 225

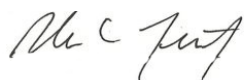
To Senator Glenn Wakai, Chair of the Committee on Public Safety and Intergovernmental and Military Affairs and Senator Lorraine Inouye, Chair of the Committee on Water and Land:

I am submitting testimony in opposition to SB 2842 Relating to Wildfire Safety and Prevention. 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.

Although I agree with the overall intent of this bill, it is my opinion that the designation of a Wildfire Safety Advisory Board within the Department of Land and Natural Resources (DLNR) is too narrow in scope to be effective. First, wildfire risk and wildfire impacts extend well beyond DLNR lands. While DLNR is the primary state-level fire response agency, advising the state on wildfire safety will have to consider land use areas outside DLNR jurisdiction, especially agricultural lands and urban open space, as well as private holdings ranging from large landowners to households. Second, wildfire safety encompasses factors that extend beyond the expertise of the DLNR. Although the DLNR can provide knowledge of wildland fire response and the management of land and water resources, other dimensions of wildfire safety include built infrastructure and urban design, agricultural land use and abandonment, utilities, legislation and enforcement at both state and county levels, policy and economics, and human behavior.

While DLNR can and will provide critical leadership in future wildfire mitigation efforts, it seems to me that a more inclusive approach, for example as outlined in SB 2142, would be more appropriate to accomplish the task at hand.

Sincerely,



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

SB-2842

Submitted on: 2/4/2024 8:32:35 PM

Testimony for WTL on 2/7/2024 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamara Paltin	Individual	Support	Written Testimony Only

Comments:

support SB2842