

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

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

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CHAIRPERSON
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COMMISSION ON WATER RESOURCE
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FIRST DEPUTY

CIARA W.K. KAHAHANE
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
COMMERCE AND CONSUMER PROTECTION
and
WATER AND LAND

Friday, February 7, 2025
9:30 AM

State Capitol, Conference Room 229 and Via Videoconference

In consideration of
SENATE BILL 1561
RELATING TO VEGETATION MANAGEMENT

Senate Bill 1561 establishes vegetation management requirements to prevent wildfires caused by electric utilities. Requires the Department of Land and Natural Resources (Department) to enforce the provisions. **The Department appreciates the intent of this measure and offers comments.**

Vegetation management requirements for utility corridors would be more appropriately codified in HRS Chapter 269, which governs public utilities. Similarly, defensible space requirements unrelated to utility corridors would be best placed in the State Fire Code under HRS Chapter 132, rather than in statute. The State Fire Code adopted pursuant to HRS section 132-3, is periodically updated to reflect evolving fire science, technological advancements, and changing environmental conditions. Codifying defensible space requirements into statute would make it challenging to adjust regulations as science and technology evolve. In contrast, the State Fire Council and the Office of the State Fire Marshal can amend the Fire Code more efficiently to respond to emerging wildfire threats. Placing these provisions into statute may also lead to conflicts or redundancies with the Fire Code.

Enforcement should be assigned to the Office of the State Fire Marshal or County Fire Departments based on whether the property is on state-owned or private land. This measure assigns enforcement authority to the Department, an agency whose primary role is land and natural resource management, not fire code enforcement. The Department respectfully suggests that the Office of the State Fire Marshal is the appropriate enforcement body for fire prevention regulations on state land, including

vegetation management for fire safety. County fire departments already enforce vegetation-related fire codes on private land, and they should continue doing so with the assistance of the State Fire Marshal if needed.

Mahalo for the opportunity to provide comments on this measure.



**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
LOCAL UNION 1260
EMPOWERING THE PACIFIC**

THIRTY-THIRD LEGISLATURE, 2025

Committee on Water and Land and Commerce and Consumer Protection

HEARING DATE: Friday, February 7, 2025

TIME: 9:30 a.m.

PLACE: Senate Committee Room 229

RE: Senate Bill 1561- SUPPORT with Amendments

Aloha Honorable Chair(s) Inouye and Keohokalole, Vice-Chair(s) Elefante and Fukunaga, and Joint Committee Members;

The International Brotherhood of Electrical Workers Local 1260 (IBEW 1260) would like to offer the following testimony in SUPPORT of Senate Bill 1561 with proposed amendments.

IBEW Local 1260, is comprised of approximately 3,000 members throughout Hawaii and Guam and consists of a diverse and highly-skilled workforce that supports the electric utility infrastructure across our state as well as government service contracts and broadcasting. It's our duty to serve and to protect the well-being of our members, but beyond that, it is incumbent upon all of us to serve and protect the well-being of our island home.

SB1561 establishes vegetation management requirements to prevent wildfires caused by electric utilities and requires the Department of Land and Natural Resources to enforce the provisions.

IBEW Local 1260 supports SB1561 in an effort to reduce the likelihood of another catastrophic wildfire, by establishing wildfire mitigation policies consistent with other jurisdictions where such events are prevalent.

As such, we respectfully submit the following proposed amendments for consideration and inclusion in an SD1, seeking to make technical, non-substantive changes, to be consistent with national standards, and more importantly, to ensure that vegetation management work near high voltage transmission and/or distribution lines are performed by a properly trained and qualified workforce.

Mahalo for the opportunity to testify on this measure.



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 EMPOWERING THE PACIFIC

Proposed Amendments to Senate Bill 1561; Related to Vegetation Management Offered for consideration by: IBEW Local 1260

Add the following definition to Bill 1561:

“Line Clearance Tree Trimmer” means an individual of at least eighteen years of age who has successfully completed a state-approved Line Clearance Tree Trimmer apprenticeship program and who can provide satisfactory evidence of experience in high voltage line clearance tree trimming of at least one and one-half years full-time or its equivalent, but not less than three thousand hours, in the trade under the supervision of a journey worker or supervising line clearance tree trimmer;

Amend Page 9; Line(s) 1 through 9 as follows:

§ -4 Industry safety orders and worker protections. (a) The department of labor and industrial relations shall adopt safety rules for vegetation management workers to ensure compliance with chapter 396.

(b) Any person or entity that owns, controls, operates, or maintains any ~~[electrical]~~ utility transmission or distribution line ~~[equal to or greater than six hundred volts]~~ shall maintain around and adjacent to any pole or tower that supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak that consists of a clearing of not less than ten feet in each direction from the outer circumference of the pole or tower; provided that all work subject to sections -3 and -4 shall be performed:

(1) By a qualified ~~[line clearance]~~ line clearance tree trimmer or an apprentice ~~[trainee]~~ under the direct supervision and instruction of a qualified line clearance tree trimmer pursuant to 29 C.F.R. section 1910.269 and American National Standards Institute Z133.1 safety standard; ~~or~~

(2) By a journeyman electrical ~~[utility]~~ lineman or apprentice ~~[trainee]~~ under the direct supervision and instruction of a journeyman electrical ~~[utility]~~ lineman; ~~[or]~~and

(3) Under the supervision of a qualified utility arborist.



**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
LOCAL UNION 1260
EMPOWERING THE PACIFIC**

(c) All work performed under this section shall be paid no less than the prevailing wage rate for a second-step apprentice electrical utility lineman as determined by the director of labor and industrial relations.

(d) This section shall not apply to any line used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, other line classified as a communication circuit, or line by the public utilities commission; provided that this section shall apply to any line that is shared on a pole having electrical utility equipment.

~~[(e) The department may grant exceptions from the requirements of this section.]~~



**Hawaiian
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEES ON
COMMERCE AND CONSUMER PROTECTION
&
WATER AND LAND**

**SB1561
Relating to Vegetation Management**

Friday, February 7, 2025
9:30 AM
State Capitol, Conference Room 229

Wendy Oda
Manager, Land & Rights of Way
Hawaiian Electric

Aloha Chairs Keohokalole and Inouye, Vice Chairs Fukunaga and Elefante, and
Members of the Committee,

My name is Wendy Oda and I am testifying on behalf of Hawaiian Electric in
opposition to SB 1561, with comments.

Hawaiian Electric supports the bill's intent to establish vegetation management
requirements to prevent electric utility-caused wildfires. Among our concerns is that a
number of the proposed requirements are undefined and in some cases beyond the
vegetation management standards in the electric utility industry. Additionally, it fails to
hold other utilities and telecommunication attachers accountable.

Currently there are not enough qualified line clearance tree trimmers in the State
of Hawaii to effectively execute the proposed trimming to the extent of and at the
frequency being proposed. However, we are confident that over time the workforce will
be trained and ready to perform such work. Our utility workers execute some parts of
the vegetation clearing.

As compliance with the new rules requires some type of liability and enforcement mechanism, the standards proposed are not sufficiently detailed to address how non-compliance will be addressed with private landowners and the Company.

We also believe that a cost recovery mechanism for incremental costs incurred by the Company to comply with the law should be incorporated into this bill.

Thank you for this opportunity to testify.

Hawai'i State Legislature
Senate Committee on Commerce and Consumer Protection

February 5, 2025

Filed via electronic testimony submission system

RE: SB 1561, Vegetation Management Program - NAMIC's Testimony – statement of support

Thank you for providing the National Association of Mutual Insurance Companies (NAMIC) an opportunity to submit written testimony to your committee for the February 7, 2025, public hearing. Unfortunately, I will not be able to attend the public hearing, because of a previously scheduled professional obligation.

The National Association of Mutual Insurance Companies consists of nearly 1,500 member companies, including seven of the top 10 property/casualty insurers in the United States. The association supports local and regional mutual insurance companies on main streets across America as well as many of the country's largest national insurers. NAMIC member companies write approximately \$391 billion in annual premiums and represent 68 percent of homeowners, 56 percent of automobile, and 31 percent of the business insurance.

NAMIC fully supports establishing and codifying clear vegetation management expectations for homeowners, communities and utilities companies. Wildfire prevention and mitigation is a "team project" that requires collaborative engagement by all and a clear understanding of responsibilities and legal liability of all stakeholders. NAMIC believes that wildfire prevention and risk management is an activity that needs to be proactively undertaken by individuals, communities, businesses and governmental agencies in a cooperative manner that encourages all to be vigorously engaged in this necessary and important public safety endeavor. Consequently, we support the objective of SB 1561 and welcome an opportunity to be engaged in the discussion about the importance of setting requirements for a vegetation management plans that follow the science, research, testing, and experiences of recognized research organizations like the Insurance Institute for Business and Home Safety (IBHS), the National Fire Protection Organization (NFPA), and the Fire Safety Research Institute (FSRI) and ensuring the requirements are manageable for individual property owners, lessees, and occupants.

NAMIC looks forward to working with the sponsors and leadership on the specifics of the proposed legislation as the bill is further evaluated throughout the legislative process.

Thank you for your time and consideration. Please feel free to contact me at 303.907.0587 or at crataj@namic.org, if you would like to discuss NAMIC's written testimony.

Respectfully,

A handwritten signature in black ink, appearing to read "Christian John Rataj". The signature is fluid and cursive, with the first name "Christian" and last name "Rataj" being the most prominent parts.

Christian John Rataj, Esq.
NAMIC Senior Regional Vice President
State Government Affairs, Western Region



Testimony Before the Senate Committees on Commerce and Consumer
Protection and Water and Land

By David Bissell
President and Chief Executive Officer
Kaua'i Island Utility Cooperative
4463 Pahe'e Street, Suite 1, Lihu'e, Hawai'i, 96766-2000

Friday, February 7, 2025; 9:30 am
Conference Room #229 & Videoconference

Senate Bill No. 1561 – RELATING TO VEGETATION MANAGEMENT

To the Honorable Chairs Jarrett Keohokalole and Lorraine R. Inouye, Vice Chairs Carol Fukunaga and Brandon J.C. Elefante, and Members of the Committees:

Kaua'i Island Utility Cooperative (KIUC) is a not-for-profit utility providing electrical service to more than 34,000 commercial and residential members.

KIUC opposes this measure.

KIUC strongly agrees with the premise that a robust vegetation management program, particularly around electric utility infrastructure, can significantly reduce the risk of wildfire. KIUC's vegetation management program was submitted last month to the Hawai'i Public Utilities Commission (PUC) as part of its Wildfire Mitigation Plan (WMP). The KIUC WMP is pending PUC approval.

Historically, KIUC budgeted roughly \$1.2 million a year for vegetation management. In 2024, KIUC spent \$2.1 million on its vegetation management program. That figure is estimated to reach \$3 million in 2025.

Since last year, KIUC has contracted vegetation management crews which are responsible for trimming trees and vegetation around energized power lines, utility-owned fiber optic cables, utility poles, and regulators to obtain the minimum required clearance. KIUC's vegetation management program provides guidance for these crews for clearing and pruning trees year-round, aiming to re-clear the co-op's power line rights of way on each circuit systematically on a five-year cycle.

KIUC maintains over 970 miles of overhead right of way. This includes not only the maintenance of the hardware, conductors, and poles, but also trees and other vegetation that threaten to fall or grow into the powerlines. ROW maintenance is focused on providing recommended clearances between vegetation and conductors, and not on maintaining growth along the ground, below the powerlines, since grasses and bushes, and even short trees, are well outside of the required contact clearance area.

KIUC believes it is prudent to require landowners to manage the growth of trees, grasses, and other vegetation, and provide a combustible-free space within ten feet from any utility line that crosses their property. Doing so will make a significant contribution to mitigating the risk of wildfire ignition around utility poles and lines.

Based on the above, we believe that electric utility requirements for vegetation management should be prescribed by the respective utility's PUC-approved WMP, and thus should be stricken from this bill. Further, should legislation governing electric utility vegetation management move forward, we prefer the language contained in SB 11, for which we are also submitting testimony.

Mahalo for your consideration.



Hawai'i Climate Advisory Team

To: Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection

Senator Lorraine R. Inouye, Chair
Senator Brandon J.C. Elefante, Vice Chair
Committee on Water and Land

From: The Climate Advisory Team

RE: **SB1561 - Relating to Vegetation Management - In Support**
Friday, February 7, 9:30 a.m.; Conference Room 229 & Videoconference

Aloha Chairs Keohokalole and Inouye, Vice Chairs Fukunaga and Elefante, and Members of the Committees,

Mahalo for the opportunity to testify on SB1561 relating to vegetation management. We, the members of the Governor's Climate Advisory Team (CAT), **support the intent of SB1561** because proactive, perpetual management of high-fire-risk vegetation is critical for protecting our communities from the threat of wildfire.

This bill aligns with the CAT's near-term recommendations to promote environmental resilience through the removal of vegetation that acts as fuel for fires. Adopting standards for comprehensive vegetation management will help the State increase its wildfire mitigation efforts, increase public safety, and protect our communities and the environment.

The CAT's top priority environmental recommendation is wildfire risk reduction. SB1561 aligns with our analysis that public and private lands are currently underinvested in and under-managed when it comes to the removal of invasive species that act as fuel for fires. For further information about the CAT's recommendations for environmental resilience work including vegetation management please refer to [Section 3.3.1 of our Policy Recommendations on Climate Disaster Resilience, Recovery and Funding](#).

Thank you for the opportunity to testify before your committee **in support of the intent** of SB1561.

With aloha,

The Climate Advisory Team



LATE

Kamehameha Schools®

Senate Committee on Commerce and Consumer Protection
Senate Committee on Water and Land

Time: 9:30 a.m.
Date: February 7, 2025
Where: Conference Room 229

TESTIMONY

By Kā'eo Duarte
Vice President, 'Āina Pauahi

RE: **SB 1561 Relating to Vegetation Management**

Aloha e nā Luna Ho'omalū Keohokalole, Inouye, nā Hope Luna Ho'omalū Fukunaga, Elefante, a me nā Lālā o nā Kōmike.

Kamehameha Schools appreciates this opportunity to provide comments on SB 1561.

We are in support of the intent of this bill which establishes vegetation management requirements to prevent wildfires caused by electric utilities and requires the Department of Land and Natural Resources to enforce the provisions. As stewards of our 'Āina Pauahi, we mālama this 'āina for the education of Native Hawaiian children in perpetuity. An essential part of this vision is to work with local governments and the community to ensure the safety of our keiki and kaiāulu.

We believe that an alternate approach may be the recommendation in SB1383 which requires the State Fire Marshal to “establish requirements that are consistent with and do not exceed the standards pertaining to defensible space in generally accepted evidence-based codes and standards;” and “consider best practices specific to the State and traditional and customary practices relating to defensible space to establish the requirements.” We believe that this approach may allow better alignment between state and county fire officials and can provide guidance to landowners and utility companies. This bill was heard earlier this week and passed by the Senate Committees on Public Safety and Military Affairs and Labor and Technology.

Founded in 1887 by the legacy of Princess Bernice Pauahi Bishop, Kamehameha Schools (KS) is a private, educational, charitable trust committed to improving the capability and well-being of Native Hawaiian people through education. KS envisions a thriving lāhui where learners, grounded in Christian and Hawaiian values, grow into 'ōiwi leaders who inspire and contribute to their communities, both locally and globally.