

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 144
A BILL RELATING THE MITIGATION OF HAZARDOUS SITUATIONS STATEWIDE

PRESENTATION TO
THE HOUSE COMMITTEE ON FINANCE

BY

VERN T. MIYAGI
Administrator, Hawaii Emergency Management Agency

Chair Luke, Vice-Chair Cullen and Members of the Committee.

I am Vern T. Miyagi, Administrator of Hawaii Emergency Management Agency (HI-EMA) and am testifying in **SUPPORT** of House Bill 144. The purpose of HB 144 is to extend the lapse date for the mitigation of hazardous situations from June 30, 2017 to June 30, 2019.

Current Status of Program:

- Status as of 31 January 2017: Received 604 cases and closed 517 cases; 87 cases pending. Majority closed as the result of mediation efforts coordinated by HI-EMA between complainant and land owner. Tree removal contracts for 16 cases (\$309K) done or in progress; Arborist reports (\$75K). Total obligated/expended (\$384K); Remaining to be obligated/expended (\$616K).
- Reasons for the delays in executing the full \$1M.
 - o Lack of dedicated staff to implement the program – currently done by 1 HI-EMA staff member as an additional duty
 - o Required Site visits – Meetings with landowners and/or complainants
 - o Contracting arborist for HI-EMA
 - o Process delays:
 - Communication with parties
 - Identification of landowner
 - 1st Letter notification of landowner
 - Follow up letters to non-responses
 - Scheduling Arborist site visits
 - Obtaining consent letters from landowner and complainant
 - o Contracting tree removal companies in accordance with State Procurement regulations
 - o Cases may be resolved at no cost through mediation among parties by HI-EMA.

- **Program is successful.** During the recent Tropical Storm Darby event in 2014, minimal damage was reported by the counties regarding damage caused by downed Albizia trees. This is in sharp contrast to the major damage to highways and power lines caused by fallen Albizia trees on the Big Island during Tropical Storm Iselle in 2014. County, HELCO/HECO, and private efforts, in conjunction with this program (ACT 76/HRS 127A-18), were effective in culling these trees.

Background:

- 2014 Session: Act 122 provided \$1M to implement HRS 127A-18. Effective 1 July 2014 for a three- year period. Funding to lapse on 30 June 2017.
- 2015 Session: Act 119 aligned the \$1M of Act 122 with provisions of HRS 127A-18. Included in the Act was a stipulation requiring funding for personnel to administer the program.
- Program Execution: Despite stipulation, the program has been executed solely by the HI-EMA Future Operations Officer as an additional duty. Despite prior legislative efforts, HI-EMA has not been able to obtain authorization/funding to hire personnel to administer this program. In the 2015 session, House Bill 1344, that authorized the funding of two positions to administer HRS 127A-18, was amended to add in SB 533/HB592 that allowed news media access to areas closed by civil authorities during disasters/emergencies. Differences on this bill were not resolved and the bill carried over to the 2016 session. The conference committee met again but failed to resolve differences. Bill died at close of 2016 session. DOD has again submitted a request for one temporary full-time person to run this program and this request is included in the Governor's Administrative Bill for 2017.

I strongly urge you to **PASS** HB 144 to extend the program to June 30, 2019 and to support the Governor's Administrative Bill for 2017 that includes the **needed full time person** to manage this program.

Thank you for the opportunity to provide this testimony in **SUPPORT** of HB 144.

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