

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

DEAN I HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Public Safety and Military Affairs
Friday, April 11, 2025
3:05 p.m.
Conference Room 225

On the following measure:

H.C.R. 69, H.D. 1, REQUESTING THE OFFICE OF THE STATE FIRE MARSHAL TO CONVENE A VEGETATION MANAGEMENT WORKING GROUP TO STUDY, EVALUATE, AND MAKE RECOMMENDATIONS FOR REGULATIONS THAT DEFINE PROPERTY OWNER OBLIGATIONS FOR VEGETATION MANAGEMENT ON PUBLIC AND PRIVATE PROPERTY TO MITIGATE WILDFIRE RISK, AND MAKE RECOMMENDATIONS THAT DEFINE A LINE CLEARANCE TREE TRIMMER AND ESTABLISH MINIMUM SAFETY STANDARDS, TRAINING, AND QUALIFICATIONS FOR INDIVIDUALS PERFORMING LINE CLEARANCE TREE TRIMMING AT OR NEAR ELECTRIC UTILITY FACILITIES

Chair Elefante and Members of the Committee:

My name is Michael Angelo, and I am the Executive Director of the Department of Commerce and Consumer Affairs (Department) Division of Consumer Advocacy. The Department supports this resolution.

The purpose of this resolution is to request that the Office of the State Fire Marshal to convene a Vegetation Management Working Group (Working Group) to study, evaluate, and make recommendations for regulations that define property owner obligations for vegetation management on public and private property to mitigate wildfire risk, as well as minimum safety standards, training, and qualifications for individuals

performing line clearance tree trimming at or near electric utility facilities. In its review of vegetation management, the Working Group is to consider the: (1) wildfire risk mitigation actions being proposed as part of the Hawaiian Electric Company's Climate Adaptation Transmission and Distribution and Resilience Program and Wildfire Safety Strategy filed with the Public Utilities Commission (Commission) as Docket No. 2022-0135 and Docket No. 2025-0156, respectively; and (2) the hazard mitigation plans of electric utilities, including the Kauai Island Utility Cooperative, filed with the Commission as part of a non-docketed proceeding under Case No. 2023-04661 in response to the Order No. 40396. Further, the resolution requests that: (1) the State Fire Marshal serve as the chairperson of the Working Group; (2) a representative of the Division of Consumer Advocacy of the Department, with experience in matters related to regulated public utilities, be appointed by the Director of the Department to serve as a member of the Working Group (while also naming a number of other agencies and stakeholders for inclusion in the Working Group), (3) the Working Group submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2026, and (4) the Working Group be dissolved on June 30, 2026.

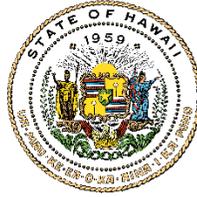
The tragedy and devastation of the wildfires that arose on Maui during the August 8, 2023, windstorm must be prevented from reoccurring. Vegetation management (including the creation of firebreaks and the removal of buildup of flammable vegetation), is viewed as essential for the mitigation of wildfire risks and the promotion of safer conditions for our communities and the environment. Thus, the Department supports the convening of a Working Group to make recommendations for regulations that define property owner obligations for vegetation management on public and private property to mitigate wildfire risk, as advanced by this resolution.

The Department appreciates that the resolution specifically requests that the Working Group consider the Commission's on-going proceedings regarding wildfire safety and climate adaptation and resilience, as applicable, for the electric utilities. As we noted with respect to similar measures, the Department believes that it is important to incorporate the results of these reviews into best practices for vegetation management to mitigate wildfire risk.

Thank you for the opportunity to testify on this resolution.

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

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

**Before the Senate Committee on
PUBLIC SAFETY AND MILITARY AFFAIRS**

**Friday, Friday 11, 2025
3:05 PM**

State Capitol, Conference Room 225, and Via Videoconference

**In consideration of
HOUSE CONCURRENT RESOLUTION 69 HOUSE DRAFT 1
RELATING TO WILDFIRES,
VEGETATION MANAGEMENT WORKING GROUP**

House Concurrent Resolution 69 House Draft 1 urges the Office of the State Fire Marshal to convene a vegetation management working group to study, evaluate, and make recommendations for regulations that define property owner obligations for vegetation management on public and private property to mitigate wildfire risk. **The Department of Land and Natural Resources (Department) supports this measure and provides comments.**

The Department supports this resolution to coordinate fire-prone vegetation management. The tragic wildfires of August 2023 underscored the urgent need for comprehensive vegetation management strategies across the state. With increasing drought conditions, the proliferation of invasive grasses, and the proximity of flammable vegetation to critical infrastructure, Hawaii must act decisively to reduce fuel loads and mitigate wildfire risk through clearly defined responsibilities and coordination.

The Department would like to make the following recommendation. The Department recommends adding the Chairperson of the Department of Land & Natural Resources or the Chairperson's designee to the working group.

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

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

RYAN K.P. KANAKA'OLE
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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



STATE OF HAWAII
PUBLIC UTILITIES COMMISSION
465 S. KING STREET, #103
HONOLULU, HAWAII 96813

LEODOLOFF R. ASUNCION, JR.
CHAIR

NAOMI U. KUWAYE
COMMISSIONER

COLIN A. YOST
COMMISSIONER

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Testimony of the Public Utilities Commission

To the
Senate Committee on
Public Safety and Military Affairs

April 11, 2025
3:05 p.m.

Chair Elefante, Vice Chair Wakai, and Members of the Committee:

Measure: H.C.R. 69, H.D. 1
Title: REQUESTING THE OFFICE OF THE STATE FIRE MARSHAL TO CONVENE A VEGETATION MANAGEMENT WORKING GROUP TO STUDY, EVALUATE, AND MAKE RECOMMENDATIONS FOR REGULATIONS THAT DEFINE PROPERTY OWNER OBLIGATIONS FOR VEGETATION MANAGEMENT ON PUBLIC AND PRIVATE PROPERTY TO MITIGATE WILDFIRE RISK, AND MAKE RECOMMENDATIONS THAT DEFINE A LINE CLEARANCE TREE TRIMMER AND ESTABLISH MINIMUM SAFETY STANDARDS, TRAINING, AND QUALIFICATIONS FOR INDIVIDUALS PERFORMING LINE CLEARANCE TREE TRIMMING AT OR NEAR ELECTRIC UTILITY FACILITIES.

Position:

The Public Utilities Commission ("Commission") supports this resolution and offers the following comments for consideration.

Comments:

The Commission appreciates the intent of this resolution to develop regulations that not only define obligations for vegetation management on public and private property, but also establish minimum safety standards and workforce requirements for trimming near vegetation near electric utility facilities.

The combination of an electric utility's numerous easement and right-of-way agreements, along with the fragmented ownership of public and private lands in a state with limited land availability, poses significant challenges to developing clear and consistent vegetation management regulations. The Commission is committed to participating in the working group and working with the other members to find viable solutions.

The Commission would also suggest looking into how other states have addressed electric utility liability for removing vegetation, such as in Washington¹ and Oregon.²

Thank you for the opportunity to testify on this resolution.

¹ Revised Code of Washington (RCW) §64.12.035 Cutting or removing vegetation—Electric utility—Liability—Definitions. <https://app.leg.wa.gov/rcw/default.aspx?cite=64.12.035>

² Oregon Revised Statutes (ORS) §758.282 Immunity of electric utility for pruning or removing vegetation in certain cases and §758.282 Immunity of electric utility for pruning or removing vegetation in other cases. https://oregon.public.law/statutes/ors_chapter_758

Written Statement of

Jeannine Souki,
Senior Manager – Government & Regulatory Affairs

**BEFORE THE SENATE COMMITTEE ON PUBLIC
SAFETY & MILITARY AFFAIRS**

April 11, 2025, 3:05 PM
State Capitol, Conference Room 415 & Videoconference

COMMENT WITH REQUESTED AMENDMENTS FOR:
**H.C.R. 69 H.D. 1 – REQUESTING THE OFFICE OF THE STATE FIRE MARSHAL TO
CONVENE A VEGETATION MANAGEMENT WORKING GROUP TO STUDY,
EVALUATE, AND MAKE RECOMMENDATIONS FOR REGULATIONS THAT
DEFINE PROPERTY OWNER OBLIGATIONS FOR VEGETATION MANAGEMENT
ON PUBLIC AND PRIVATE PROPERTY TO MITIGATE WILDFIRE RISK, AND
MAKE RECOMMENDATIONS THAT DEFINE A LINE CLEARANCE TREE
TRIMMER AND ESTABLISH MINIMUM SAFETY STANDARDS, TRAINING AND
QUALIFICATION FOR INDIVIDUALS PERFORMING LINE CLEARANCE TREE
TRIMMING OR NEAR ELECTRICAL FACILITIES**

To: Chair Elefante, Vice Chair Wakai, and Members of the Committee

Re: Testimony **providing comment with requested amendments for HCR69, HD1**

Aloha Honorable Chair, Vice-Chair, and Committee Members:

Mahalo for the opportunity to submit testimony and propose amendments to HCR69, HD1. This resolution calls upon the Fire Marshal to convene a vegetation management working group to develop recommendations clarifying property owner obligations for mitigating wildfire risks through vegetation management on public and private lands. In crafting this resolution, it is worth noting that regulations in other states appropriately limit vegetation management requirements to electric utilities due to the unique wildfire hazards posed by high-voltage power lines. These precedents underscore the importance of tailoring policies to specific risk factors while avoiding unnecessary obligations for communication service providers.

Hawai'i's current state laws and regulations form a complex patchwork of policies addressing wildfire prevention and control, including managing trees and vegetation. While electric utilities submit vegetation management plans to the Public Utilities Commission, outlining how they address overgrown vegetation and trees encroaching on high-voltage power lines, telecommunication facilities do not pose the same fire hazards as electric utility infrastructure. States with vegetation management regulations focus on electric utilities due to the wildfire risks associated with high-voltage power lines. Several examples of these states, including Oregon and Washington, appropriately limit vegetation management requirements for electric utilities due to the unique wildfire hazards posed by high-voltage power lines.¹²

Hawaiian Telcom's communication equipment, by nature, does not independently create wildfire risks, making our role in vegetation management appropriately limited. When notified of necessary vegetation maintenance or identifying it ourselves, our local managers proactively engage property owners or right-of-way holders to address vegetation concerns. In instances where tree trimming is required to access electric utility poles, we collaborate by requesting the electric utility to prune the affected area, ensuring safe access for our teams.

We respectfully request that this concurrent resolution be amended with the following changes to reflect these factors:

1. Revise language on page 2, line 8, to include the word "electric" before "utility companies":

Page 2

H.C.R. NO. 69
H.D. 1

1 WHEREAS, the Wildfire Prevention Working Group also found
2 that guinea grass, fountain grass, molasses grass, and
3 buffelgrass can form continuous fuel beds, ignite easily, attain
4 extremely high fine fuel loads, and grow back more vigorously in
5 the post-fire environment than the majority of native
6 vegetation; and

7
8 WHEREAS, electric utility companies have miles of utility lines
9 installed throughout the State on public and private lands,
10 including within the public rights of way and mountainous areas
11 of the State; and

12
13 WHEREAS, a significant portion of these public lands is
14 covered with unmanaged grasses, trees, and other vegetation that
15 may pose a significant wildfire risk; and

2. Revise to add the following clauses following the 2nd paragraph on page 2, lines 8 to 11, to read as:

¹ [Oregon Administrative Rules 860-024-0016](#) (accessed on 4/10/2025)

² [RCW 76.04.185: Electric Utility Wildfire Mitigation Plan: Washington State Legislature](#) (accessed on 4/10/2025)

“WHEREAS, communication equipment, by nature, does not independently create wildfire risks, making its role in vegetation management appropriately limited; and

WHEREAS, other states such as Oregon and Washington appropriately regulate vegetation management requirements specifically for electric utilities due to the unique wildfire hazards posed by high-voltage power lines; and”

3. Revise language on page 4, line 23, to read as “communication service provider”:

Page 4

H.C.R. NO. 69
H.D. 1

1
2 (5) A representative of the Hawaii Invasive Species
3 Council;
4
5 (6) A member of the House of Representatives, to be
6 appointed by the Speaker of the House of
7 Representatives;
8
9 (7) A member of the Senate, to be appointed by the
10 President of the Senate; and
11
12 (8) The mayor of each county, or the mayor's designee; and
13
14 BE IT FURTHER RESOLVED that the Working Group is requested
15 to invite the following individuals to be members of the Working
16 Group:
17
18 (1) A representative of a cooperative electric utility;
19
20 (2) A representative of an investor-owned electric
21 utility;
22 (3) A representative of a communications service provider
23 ~~telecommunications carrier~~;
24

The aforementioned factors underscore the importance of tailoring policies to specific risk factors while avoiding unnecessary obligations for telecommunication service providers. For these reasons, we respectfully request the changes be included in the concurrent resolution.

Mahalo nui for considering our testimony and proposed amendments to HCR69, HD1.



**Hawaiian
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEE ON
PUBLIC SAFETY AND MILITARY AFFAIRS**

HCR 69, HD1

Requesting the Office of the State Fire Marshal to Convene a Vegetation Management Working Group to Study, Evaluate, and Make Recommendations for Regulations that Define Property Owner Obligations for Vegetation Management on Public and Private Property to Mitigate Wildfire Risk, and to Make Recommendations that Define a Line Clearance Tree Trimmer and Establish Minimum Safety Standards, Training, and Qualifications for Individuals Performing Line Clearance Tree Trimming at or Near Electric Utility Facilities

Friday, April 11, 2025
3:05 p.m.
State Capitol, Conference Room 225

Wendy Oda
Manager, Land & Rights of Way
Hawaiian Electric

Dear Chair Elefante, Vice Chair Wakai, and Members of the Committee,

My name is Wendy Oda and I am testifying on behalf of Hawaiian Electric in support of HCR 69, HD1.

Hawaiian Electric believes that the formation of a Vegetation Management Working Group (“Working Group”), consisting of representatives of the State, the Counties, public and private utilities, large private landowners and other stakeholders is a critical step in addressing the risk of future wildfires in the State. The Working Group will consider needed wildfire mitigation measures such as regulations identifying the vegetation management obligations of public and private landowners as well as a practical vegetation management program for landowners and public utilities.

Thank you for this opportunity to testify in support.



Charter Communications
Testimony of Rebecca Lieberman, Director of Government Affairs

SENATE COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Hawaii State Capitol
Friday, April 11, 2025

COMMENTS ON H.C.R. 69, H.D. 1 - REQUESTING THE OFFICE OF THE STATE FIRE MARSHAL TO CONVENE A VEGETATION MANAGEMENT WORKING GROUP TO STUDY, EVALUATE, AND MAKE RECOMMENDATIONS FOR REGULATIONS THAT DEFINE PROPERTY OWNER OBLIGATIONS FOR VEGETATION MANAGEMENT ON PUBLIC AND PRIVATE PROPERTY TO MITIGATE WILDFIRE RISK, AND MAKE RECOMMENDATIONS THAT DEFINE A LINE CLEARANCE TREE TRIMMER AND ESTABLISH MINIMUM SAFETY STANDARDS, TRAINING, AND QUALIFICATIONS FOR INDIVIDUALS PERFORMING LINE CLEARANCE TREE TRIMMING AT OR NEAR ELECTRIC UTILITY FACILITIES.

Chair Elefante, Vice Chair Wakai, and Members of the Committee.

Thank you for the opportunity to testify in **support of and propose an amendment to H.C.R 69, H.D. 1**, a resolution that requests the State Fire Marshal to convene a working group to study, evaluate, and recommend regulations related to vegetation management.

As the largest communications provider in the state, we recognize the importance of infrastructure resiliency and welcome the opportunity to actively participate in the proposed working group. Our presence on poles and in utility corridors gives us a unique perspective on both the challenges and solutions associated with managing vegetation in these shared spaces.

Charter requests the following change to clarify out participation in the working group. Specifically, we suggest amending Page 4, Line 23 to:

(3) A representative of a communications service provider
~~telecommunications carrier~~;

Charter stands ready to collaborate with other stakeholders to develop forward-looking, effective, and implementable recommendations. Mahalo for the opportunity to testify.



Kamehameha Schools®

Senate Committee on Public Safety and Military Affairs

Time: 3:05 PM

Date: April 11, 2025

Where: Conference Room 225

TESTIMONY

By Kā'eo Duarte

Vice President, 'Āina Pauahi

RE: HCR69, HD1, Requesting the Office of the State Fire Marshal to Convene a Vegetation Management Working Group to Study, Evaluate, and Make Recommendations for Regulations that Define Property Owner Obligations for Vegetation Management on Public and Private Property to Mitigate Wildfire Risk.

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

Kamehameha Schools appreciates the opportunity to **SUPPORT** HCR69, HD1, which requests the State Fire Marshal to convene a vegetation management working group to make recommendations for vegetation management regulations on public and private property.

Kamehameha Schools supports the convening of a working group to address a deeply complex issue. We appreciate this approach as it will allow appropriate time to take a comprehensive look at vegetation management to protect communities using expert guidance, taking into account community insights, and being responsive to traditional Hawaiian land management approaches. We also appreciate the thoughtful approach to the working group's membership as it is wide and varied.

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.



LATE

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COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Senator Brandon J.C. Elefante, Chair
Senator Glenn Wakai, Vice Chair

DATE: Friday, April 11, 2025
TIME: 3:05 PM
PLACE: Conference Room 225

HCR 69, HD1 STATE FIRE MARSHAL re IGM Working Group -- **Support if Amended**

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee

Life of the Land is Hawai`i's own energy, environmental and community action group advocating for the people and `aina for 55 years. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

“The Working Group is requested to consider ... Wildfire risk mitigation actions being proposed as part of the Hawaiian Electric Company's **Climate Adaptation Transmission and Distribution and Resilience Program** and **Wildfire Safety Strategy** filed with the Public Utilities Commission as **Docket No. 2022-0135** and **Docket No. 2025-0156.**”

As written, members of the Working Group include two of the three parties in the open PUC proceeding reviewing HECO's Wildfire Safety Strategy, docket no. 2025-0156, and the decision-maker in that proceeding, but not the third party in that docket who happens to have also been a party in docket no. 2022-0135.

To avoid due process issues, “The Working Group is requested to include the following members: ... (9) An intervenor in Docket No. 2025-0156.”

Mahalo, Henry Curtis, Executive Director

HCR-69-HD-1

Submitted on: 4/8/2025 11:40:15 AM

Testimony for PSM on 4/11/2025 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Serena Harris	Individual	Support	Written Testimony Only

Comments:

As we have seen, wildfires are devastating to communities. It takes the whole community to engage in preventative measures to mitigate the chances of such destruction in the next disaster. I hope the working group includes stakeholders from across the community and is therefore fully supported. The citizens in the state are desperate to know what they, as individuals, can do. Perhaps this working group can give the state a blueprint for moving forward with a prevention-first mindset. I urge you to pass this and convene the working group. Mahalo.

Serena

HCR-69-HD-1

Submitted on: 4/9/2025 2:40:33 PM

Testimony for PSM on 4/11/2025 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.