

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1713 HD1
A BILL RELATING TO HAZARDS

PRESENTATION TO THE

COMMITTEE ON FINANCE

BY

EDWARD T. TEIXEIRA
ACTING DIRECTOR OF CIVIL DEFENSE

February 27, 2009

Chair Oshiro and Committee Members:

I am Ed Teixeira, Acting Director of Civil Defense, State Department of Defense. I am providing written testimony supporting the intent of House Bill 1713 HD1.

We appreciate the intent of the proposed bill. We also appreciate that the respective House committees have acted on our recommendations.

We recommend that SECTION 2, lines 7 - 9 be amended to read: "private property at reasonable times to mitigate situations deemed by the governor as hazardous to the health and safety of the public, including:"

We further recommend that SECTION 2, lines 10 and 11 be deleted. A reference to removing trees that may pose a risk to people could be taken out of context resulting in an adverse impact on limited civil defense resources.

Thank you for the opportunity to provide testimony that supports the intent of this measure.

February 26, 2009

To: Finance Committee

RE: Support House Bill 1713, Relating to Hazards

Dear Representative Karamatsu;

I am unable to attend the February 27, 2009, meeting to present my support of House Bill 1713 but want my voice to be counted. I live next to Mr. Kawamoto's conservation land in Kahaluu and am very concerned about the condition of the trees next to my property and the ramifications to my property when they eventually snap and fall. They are heavily laden with vines. A few branches have already snapped but haven't fallen all the way as the vines are still holding them up. The last windstorm snapped a whole tree but we were fortunate that the tree fell along side the property line and did no damage. The branches are also starting to reach within a few feet of my property but I am not also to reach the heights of the branches to cut them

I am also having a problem with water runoff and erosion of land along the property line. This is causing foundation problems for my home. Five years ago I had to redo my home's foundation at a major expense and for which I wasn't financially prepared for

I have sent a certified letter to Mr. Kawamoto's address on file but there has been no response

Everyone is aware of Mr. Kawamoto's lack of concern for his properties and the fact that no one is able to find him to address the issues. Eventually a major accident will occur due to his lack of concern. When it does, whom will we go to for help and compensation? Will it cause us to lose our homes because we can't afford to repair them or because we are injured and unable to work? Can we look to the City, County or State for help & assistance since we have made you aware of the problem and potential liabilities?

Many neighbors are unaware of this bill. I've have been trying to get word out but I just found out about it a few days myself. Most of us are unable to take off of work, do not know who to relay our concerns to about the problem or think we are on our own to just keep our fingers crossed hoping that nothing will happen.

Please allow this bill to pass, as it is desperately needed.

Thank you for listening.
Deborah Isaacs, Owner
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Dale & Susan Hebel

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Feb. 26, 2009

RE: Support House Bill 1713 Regarding Hazards

Dear Finance Committee Members

Aloha,

We are property owners at 47-156 Iuiu St. Kaneohe, HI. Above our property there are 2 large monkey pod type trees with branches that overhang our property. These trees are situated on property owned by Genshiro Kawamoto. The trees are very large and sit on the edge of a steep precipice, overlooking the rear of our property. This area is experiencing erosion due to rain runoff from Kawamoto's property. Over the years this has exposed the tree's roots and it is apparent that a safety issue has developed. If one or more of these trees falls in the direction of our property it would certainly cause considerable damage and possibly bodily injury or death.

Periodically, we receive very high south winds (upwards of 80 mph), caused by storms and enhanced by the mountain effect. These winds are potentially the most dangerous since it blows towards properties that line the hill; however any strong winds could pose a threat coupled with heavy rain.

We have tried to contact Mr. Kawamoto since 2004 with no success. He is a "non-responsive" property owner. Further he prohibits access onto his property thereby limiting action by property owners.

Our concerns cover three primary areas:

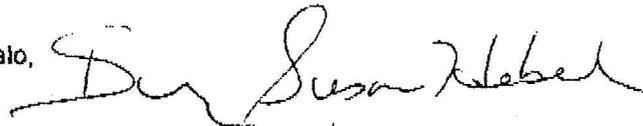
- trimming of overhanging branches (minimum action)
- possible removal of the trees
- maintenance of drainage swale on Kawamoto's property to reduce runoff onto downhill properties

These trees have become a safety issue and therefore we support HB 1713 introduced by Representative Jessica Wooley to address this dangerous situation. We are not the only ones in this position. There are other residents, in the area that would benefit from passage of this bill. Many of these residents (especially those on fixed incomes), do not have the monetary means to address this problem so help would be greatly appreciated.

At this time we do not know if we will be able to attend your meeting. However, we want to be on record that we support HB 1713.

We appreciate the opportunity to comment on HB1713 and look forward to a favorable decision to provide protection for Hawaii residents.

Mahalo,



Dale & Susan Hebel

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 26, 2009 9:58 PM
To: FINTestimony
Cc: suiso@aloha.net
Subject: Testimony for HB1713 on 2/27/2009 4:00:00 PM

Testimony for FIN 2/27/2009 4:00:00 PM HB1713

Conference room: 308
Testifier position: support
Testifier will be present: No
Submitted by: Mark Suiso
Organization: Individual
Address: 84-370 makaha valley rd. Waianae HI
Phone: 808 695-9317
E-mail: suiso@aloha.net
Submitted on: 2/26/2009

Comments:

I am in support of this measure. Every time we get a heavy rain we experience problems because streams and berms have not been maintained. In Makaha over growth in the streams and feeble efforts to shore up the banks hindered stream flow and caused many home to flood needlessly. Some property owners are good at this; many are not.

A check of stream beds and berms on an annual basis and in advance of major storms by trained volunteers and property owners will greatly reduce this problem. To have it coordinated by State Civil Defense is a very good idea. Property owners need to know their role and need qualified assistance. State Civil Defense can do this.