

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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

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 House Committees on
PUBLIC SAFETY
and
WATER & LAND

Wednesday, January 29, 2025
10:30 AM

State Capitol, Conference Room 411 and Via Videoconference

In consideration of
HOUSE BILL 113
RELATING TO FIRE PREVENTION

House Bill 113 proposes that owners and occupants of properties in hazardous fire areas be required to maintain effective firebreaks within thirty feet of the property and practice other fire prevention activities. Establishes the Community Fuels Reduction Project to be administered by the Department of Land and Natural Resources (Department). Requires a report to the Legislature. Appropriates funds. **The Department of Land and Natural Resources supports this measure and offers comments.**

Regarding the new section of HRS Chapter 132, the Department shares the concept of “defensible space,” as it is frequently presented in fire management literature as three specific zones. In Zone 0, the area that is zero to five feet from a structure, there should be no combustible material. Combustible material includes plant material, ground cover like mulch, and any other flammable materials that include, but are not limited to, items such as non-metal fences, gates, arbors, patio furniture, decking material, and debris collected in gutters. In Zone 1, between five and 30 feet, the area maintenance should include the removal of all dead plant material, keeping grasses at four inches or less, trimming limbs of trees within six feet from the ground, and removing limbs of trees so that no tree is within ten feet of another. For Zone 2, the area from 30 to 100 feet from a structure, guidelines should vary according to the fuel type and be tailored to describe common fuel types in Hawai‘i. The Department’s Division of Forestry & Wildlife with the Hawai‘i Wildfire Management Organization can work with legislative staff to address this section.

In addition, the Department finds that the definition of “hazardous fire area” could be clarified. The Division of Forestry & Wildlife and Hawai‘i Wildfire Management Organization can work with legislative staff to address this section.

Regarding Part II Section 2, the Department is not legally authorized to perform fuel reduction work on lands not set aside to the Department. To implement the community fuels reduction project as written, HRS Chapter 185 would need to be amended to grant the Department the authority to perform this work on lands they do not own or control, and the legislature would need to provide funding and personnel to perform the work. And with such a mandate would come liability that should be addressed. Department staff can work with legislators and legislative staff to provide more details on these issues.

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



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 01/29/2025

Time: 10:30 AM

Location: 411 VIA VIDEOCONFERENCE

Committee: House Public Safety
House Water & Land

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Bill Title: HB 0113 RELATING TO FIRE PREVENTION.

Purpose of Bill: Requires certain owners and occupants of properties located in hazardous fire areas to maintain effective firebreaks within thirty feet of the property and to practice other fire prevention activities. Establishes the Community Fuels Reduction Project to be administered by the Department of Land and Natural Resources. Requires a report to the Legislature. Appropriates funds.

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides comments on HB 0113.

The Department recognizes the importance of maintaining an effective firebreak by removing and clearing flammable vegetation and combustible growth from areas near buildings, structures, and other premises. However, in order to carry out the mandates of this bill resources and funding will be needed and pursuant to Section 302A-1316, Hawaii Revised Statutes, individual schools can no longer use any school funds to maintain any geographically disadvantageous land on or adjacent to its property.

While the Department supports the overall concept of HB 113, we currently do not have the staff and resources to implement this. The Department would need funding for the following:

1. Full-Time Positions (e.g., certified arborist, tree trimmers, laborers, truck drivers);
2. Vehicles (e.g., pickup trucks, bucket truck with boom, chipper trucks, landscape trucks);
3. Equipment (e.g., excavator, stump grinder, wood chipper); and
4. Work Location (e.g., baseyard where the staff, vehicles, and equipment will be housed).

As this will require continuous, ongoing maintenance, the Department would need to be appropriated

funds annually in order to do this.

Also, the Department believes it would need to have work units on each of the islands in order to address this in the most efficient way possible.

The Department appreciates this proposal but asks that any potential consideration of positions or funding for the Department to implement does not affect the Department's Board-approved top budget priorities.

Thank you for the opportunity to provide testimony on HB 0113.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov

January 28, 2025

The Honorable Della Au Belatti, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 420
Honolulu, Hawaii 96813

The Honorable Mark Hashem, Chair
Committee on Water and Land
House of Representatives
State Capitol, Room 424
Honolulu, Hawaii 96813

Dear Chairs Au Belatti and Hashem:

Subject: House Bill (HB) 113, Relating to Fire Prevention

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC offers comments on HB 113, which requires certain owners and occupants of properties located in hazardous fire areas to maintain effective firebreaks within thirty feet of the property and to practice other fire prevention activities; establishes the Community Fuels Reduction Project to be administered by the Department of Land and Natural Resources; requires a report to the Legislature; and appropriates funds.

The SFC agrees with the intent of HB 113 but has concerns over implementation and jurisdictional enforcement of the requirements in the bill which could be potentially problematic. The SFC continues to review HB 113 and may suggest amendments to the bill should the measure advance further.

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

Sincerely,

KAZUO TODD
Chair

KT/GL

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Fern Holland
Arryl Kaneshiro



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kauai, Hawaii 96766

January 27, 2025

**TESTIMONY OF FELICIA COWDEN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 113, RELATING TO FIRE PREVENTION
House Committee on Public Safety
House Committee on Water & Land
Wednesday, January 29, 2025
10:30 a.m.
Conference Room 411
Via Videoconference**

Dear Chair Au Belatti, Chair Hashem, and Members of the Committees:

Thank you for this opportunity to provide testimony in SUPPORT of HB 113, Relating to Fire Prevention. My testimony is submitted in my individual capacity as a Councilmember of the Kauai County Council and the Public Safety & Human Services Committee Chair of the Kauai County Council.

It is imperative for the safety of our island to be aggressive in our efforts to control burnable fuel overgrowth and create effective firebreaks. We have many areas of fire vulnerability.

It has come to my attention that Kauai County Fire Prevention team does not have an adequate enforcement penalty to cause the landowners to make the necessary improvements. Perhaps HB 113 can be amended to add a consequence and timeline to ensure compliance.

Thank you again for this opportunity to provide testimony in support of HB 113. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

FELICIA COWDEN
Councilmember, Kauai County Council

AAO:mn



Hawai'i Climate Advisory Team

To: Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair
House Committee on Public Safety

Representative Mark Hashem, Chair
Representative Rachele Lamosao, Vice Chair
House Committee on Water & Land

From: The Climate Advisory Team

RE: **HB113 - Relating to Fire Prevention - In Support**
Wednesday, January 29, 10:30 a.m.; Conference Room 411 & Videoconference

Aloha Chairs Au Belatti and Hashem, Vice Chairs Coco Iwamoto and Lamosao, and Members of the Committees on Public Safety and Water & Land,

Mahalo for the opportunity to testify on HB113 relating to fire prevention. We **support the intent** of this measure because managing and removing wildfire fuel is essential to a strong defense against extreme weather events. Mismanagement of the environment not only denies our community the defenses needed against extreme events, but it also amplifies their danger in numerous respects.

We, the undersigned members of the Governor's Climate Advisory Team (CAT), support the intent of this bill. It aligns with one of the CAT's near-term recommendations to promote a thriving environment as our first line of defense; managing fuel risk by creating and maintaining firebreaks. The CAT believes this is essential to maximizing public safety and preventing dangerous levels of wildfire fuel. For further information about the CAT's recommendations for a thriving environment, please refer to [Section 3.3 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 HB113.

With aloha,

The Climate Advisory Team



Kamehameha Schools®

House Committee on Public Safety
House Committee on Water & Land

Time: 10:30 a.m.
Date: January 29, 2025
Where: Conference Room 411

TESTIMONY

By Kā'eo Duarte
Vice President, 'Āina Pauahi

RE: **HB113 Relating to Fire Prevention**

Aloha e nā Luna Ho'omalū Belatti, Hashem, nā Hope Luna Ho'omalū Lamosao, Iwamoto, a me nā Lālā o nā Kōmike.

Kamehameha Schools appreciates this opportunity to provide comments on HB113.

We are in support of the intent of this bill which outlines the duty of owners to create effective firebreaks and to establish a community fuels reduction project. 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.

Defensible space requirements and efforts to reduce fuel loads can help to keep our communities safe. An alternative approach may be the recommendation in HB1064 (pg 17, line 20 to pg 20, line 5) relating to the creation of minimum defensible space requirements, which, among other expectations, 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.” This bill is also being heard today.

We believe that this approach may allow better alignment between state and county fire officials and can provide guidance to landowners grounded in practice.

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.

HB-113

Submitted on: 1/28/2025 5:59:39 AM

Testimony for PBS on 1/29/2025 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Matthew Chalker	Wildfire Safety Advocates of Waikoloa	Support	Remotely Via Zoom

Comments:

Testimony in Support of HB113 Submitted by Matt Chalker Wildfire Safety Advocates of Waikōloa

Aloha Chair Au Bellati, Chair Hashem, Vice-Chair Iwamoto, Vice-Chair Lamosao and Members of the Committee,

My name is Matt Chalker, and I am submitting testimony on behalf of the Wildfire Safety Advocates of Waikōloa, a community-based organization dedicated to reducing wildfire risk and improving wildfire safety across Hawaii Island. We strongly support HB113, a measure that represents a significant step forward in addressing the growing wildfire threats facing our state.

HB113: Hazardous Vegetation Management and Community Fuels Reduction Project

HB113 introduces critical measures to reduce wildfire fuels and improve vegetation management. This is particularly important in areas like Waikōloa Village, where invasive grasses dominate the landscape and have created some of the state’s most dangerous conditions for fire spread. Key provisions we strongly support include:

- **Mandatory Firebreaks:** Requiring property owners in hazardous fire areas to clear flammable vegetation within 30 feet of structures is a proven and effective strategy for wildfire risk reduction.
- **Community Fuels Reduction Project:** The proposed initiative, led by the Department of Land and Natural Resources, will focus on clearing hazardous fuels, creating defensible spaces, and supporting grazing projects to control vegetation. These efforts will protect critical infrastructure, watersheds, and adjacent communities.
- **Funding and Accountability:** Allocating resources to the Division of Forestry and Wildlife to carry out these measures is essential. Including annual reports to the Legislature ensures transparency and measurable progress.

The Case for Immediate Action

Hawaii is no stranger to wildfire devastation. Recent events, including the Lāhainā wildfires, have brought into sharp focus the urgent need for action. Waikōloa Village has been specifically

identified as having some of the most dangerous utility lines in the state from a wildfire perspective. According to Hawaiian Electric, these lines are also the most cost-effective to mitigate—a clear opportunity for meaningful investment in wildfire safety.

The data is clear: prevention saves lives, protects property, and significantly reduces long-term costs. Studies show that comprehensive mitigation strategies, such as those outlined in HB113, can reduce wildfire risks by up to 60%. By advancing these measures, the Legislature has the opportunity to protect communities statewide and set a national example for proactive wildfire safety policies.

Conclusion

We respectfully urge this committee to pass HB113 with the funding and support necessary to implement it effectively. The Wildfire Safety Advocates of Waikōloa remain committed to working with local, state, and federal partners to build a safer and more resilient Hawaii. Together, we can prevent future tragedies and create a legacy of safety for our keiki and future generations.

Mahalo for your time and consideration of this critical issue. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

Matt Chalker

Wildfire Safety Advocates of Waikōloa



P.O. Box 37158, Honolulu, Hawai`i 96837-0158
Phone: 927-0709 henry.lifeoftheland@gmail.com

COMMITTEE ON PUBLIC SAFETY
Rep. Della Au Belatti, Chair
Rep. Kim Coco Iwamoto, Vice Chair

COMMITTEE ON WATER & LAND
Rep. Mark J. Hashem, Chair
Rep. Rachele F. Lamosao, Vice Chair

DATE: Wednesday, January 29, 2025
TIME: 10:30 AM
PLACE: Conference Room 411

Re: HB 113 Fire Prevention

COMMENTS

Aloha Chairs Au Belatti and Hashem, Vice Chairs Iwamoto, and Lamosao, and Members of the Committees

Life of the Land is a member of HECO`s Wildfire Safety Working Group, was a member of HECO`s Resilience Working Group and HECO`s Wildfire Risk Model Deep Dive; participated in HECO`s two-day Fire Symposium in Hilo; and reviewed thousands of pages of California regulatory fire mitigation plans filed by Pacific Gas and Electric, PacifiCorp, and Southern California Edison. Life of the Land was granted intervention in over 60 Public Utilities Commission proceedings including grid hardening, reliability, and energy equity.

Life of the Land understands the need to decrease fire risks through creating fire breaks, updating building codes, and decreasing flammable vegetation in residential areas.

We are curious about how much vegetation would have to be removed from urban rural communities in high fire risk areas?

What would communities look like without all the existing vegetation?

How does this approach compare to creating large fire breaks that may be more community friendly?

Will these communities become hotter with less shade? Will this increase the need for air conditioning in economically challenged communities?

Mahalo for considering these questions

Henry Curtis

Executive Director

HB-113

Submitted on: 1/28/2025 12:54:29 AM

Testimony for PBS on 1/29/2025 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Bill Plum	Individual	Support	In Person

Comments:

Testimony in **Support**. Distance in the bill needs to be *defined to clarify* how much area needs to be cleared *when* the property needing to be cleared is a *hillside* versus a *flat* property. Many buildings in Hawaii sit *above* and next to steep to very steep hillsides. Running a tape measure down a steep hillside for 30 feet from a property line is not going to give the same protection as would be the case if the adjoining parcel that needed to be cleared was flat.

HB-113

Submitted on: 1/28/2025 9:21:40 AM

Testimony for PBS on 1/29/2025 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
David Foster	Individual	Support	Written Testimony Only

Comments:

Setting clear standards for property owners to follow and holding them accountable for adhering to them is a fundamental building block for wildfire safety. I urge the Committee to advance this bill.

I also urge you to insure the monetary penalties for noncompliance are significantly stronger. As they stand many will find it cheaper to pay the fine. Daily penalties until the property is brought into compliance is a more compelling and effective approach.

HB-113

Submitted on: 1/28/2025 10:25:19 AM

Testimony for PBS on 1/29/2025 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glenn A Leonberger	Individual	Comments	Written Testimony Only

Comments:

Aloha

While i support tthe concept and intent of HB113, i believe more detail is needed before passage to clarify the following:

- Who will be responsible for enforcement
- More specificity on what vegetation is / is not permitted in the 30 foot zone including what is / is not considered ornamental.
- Who will be the arbiter for what is and isn't permitted and how can it be appealed.
- What is the timing for compliance.

I.also believe that priority should be put on dead/ dry vegetation as that is most likely to spread fire quickly.

Your attention to important fire safety issues within.our state is greatly appreciated. I.only ask that in your haste to take action that you still take the time to consider possible unintended consequences and deal with them before passage rather than have to fix issues afterwards.

Mahalo

HB-113

Submitted on: 1/28/2025 11:41:48 AM

Testimony for PBS on 1/29/2025 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William Babcock	Individual	Support	Written Testimony Only

Comments:

I'm very pleased to see this measure being considered. I consider our neighborhood in Haiku to be in grave danger of being destroyed by wildfire and any attempt at evacuation will be severely hampered by the lack of effective firebreaks on vacant land overrun with non-native, fire adapted grasses. I note that in the Maui county mitigation analysis and plan the wildfire danger in Haiku is considered to be low. I believe that categorization needs reconsidering. The fires upcountry have also been in areas considered in the 2020 plan to be a low hazard. While it's certainly true that Haiku is wetter than other areas in Maui, that rain causes greater growth of the most hazardous grasses, which readily dry out in summer. With northshore winds, super-abundant fuel, and dry summers the hazard is substantial and the problem is immediate. There are also many neighborhoods that have only a single evacuation route (ours included) that would be impassible in an emergency since the most abundant overgrowth borders the evacuation route. I think the stipulation in the bill that owners and occupants of properties located in hazardous fire areas are required to maintain adequate firebreaks should be simplified to eliminate the characterization "in hazardous fires areas" since that creates an opportunity for debate about what areas should be included and creates an unnecessary liability in accurately determining which areas might be hazardous.