

# **SB 287**

RELATING TO PROCUREMENT.

Requires the use of native Hawaiian plants in place of indigenous land plants for certain landscaping projects under the Hawaii public procurement code.

NEIL ABERCROMBIE  
GOVERNOR



BRUCE A. COPPA  
Comptroller

RYAN OKAHARA  
Deputy Comptroller

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING  
AND GENERAL SERVICES  
P.O. BOX 119  
HONOLULU, HAWAII 96810-0119

TESTIMONY  
OF  
BRUCE A. COPPA, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEE  
ON  
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS  
ON  
February 8, 2011

S.B. 287

RELATING TO PROCUREMENT

Chair Espero and members of the Committee, thank you for the opportunity to testify on S.B. 287.

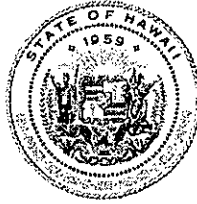
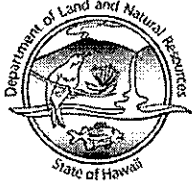
The Department of Accounting and General Services (DAGS) cannot support passage of S.B. No. 287 as currently written for the following reasons:

1. The requirement to mandate use of native Hawaiian land plants is too restrictive. It is our understanding that the selection of native Hawaiian land plants available from local nurseries are limited and it is questionable whether these plants can be maintained given limited staffing resources and the project funding available to government agencies.

2. If this bill were to be passed, project budgets for its implementation would need to be re-examined due to the potentially higher up-front costs for procurement of native Hawaiian land plants, as well as budgets for long-term staffing resources and maintenance considerations.
3. To make this proposed bill more supportable and realistically achievable, we recommend .... “Wherever and whenever feasible, all...” on line five (5) of page one (1) be kept in rather than deleted. We also recommend changing the language in line 16 of page one (1) from “Wherever and whenever possible” to “Wherever and whenever feasible.”

Thank you for the opportunity to testify on this matter.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
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**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the Senate Committee on  
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**Tuesday, February 8, 2011  
3:15 PM  
State Capitol, Conference Room 224**

**In consideration of  
SENATE BILL 287  
RELATING TO PROCUREMENT**

The Department of Land and Natural Resources (Department) supports the intent of Senate Bill 287 to increase the use of native Hawaiian plants in landscaping for public facilities and roads, and offers the following comments. It is important that the State do all it can to maintain our native plants and animals. One of the most efficient methods of doing this is slowing the spread and impacts of non-native invasive plants on our environment. However, not all non-native plants are invasive or pose an immediate and significant threat to our environment. The landscaping and nursery industries use a variety of useful non-invasive exotic plants that serve a number of beneficial purposes in our society, as well as serve as habitat for a plethora of urban dwelling birds. Adopting a program to use more native Hawaiian plants in public facilities is admirable and desirable, but must be done in a realistic manner to allow time for the increase in native plant production, distribution and implementation. A phased-in approach is suggested, starting with 50% and getting to 100% within 5 years. The reduction in use of non-native invasive plants should also be implemented along side the use of more natives, if a real change is to occur in Hawaii's urban landscape.

The Department can play a part in this initiative by helping to educate the industry to the damaging impacts of many non-native plants, participate in community discussions on what are acceptable non-native landscaping plants, and identify and support the use of alternative native Hawaiian plants with similar shape, color and growth form as common invasive plants.

An equally important part of this initiative should be a shift to the production and use of "Hawaii grown" products for the landscaping industry. This would provide both economic benefits, by supporting our local agricultural and nursery industries, and reduce the risk of importing new invasive pests that enter Hawaii on foreign and domestic imports.

WILLIAM J. AILA, JR.  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
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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



# Sierra Club Hawai'i Chapter

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## SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS

February 8, 2011, 3:15 P.M.  
(Testimony is 3 pages long)

### TESTIMONY IN STRONG SUPPORT OF SB 287 WITH PROPOSED AMENDMENTS

Aloha Chair Espero and Members of the Committees:

The Sierra Club of Hawai'i *strongly supports* SB 287, which requires the use of native plants in state landscaping. This measure would help perpetuate Hawai'i's culture and sense of place, advance the cause of rare plants found nowhere else in the world, and potentially create new local jobs while saving on long-term maintenance costs.

Hawai'i's stunning environment inspires us, nurtures us, and sustains us. Our environment is the foundation of our economy. Too often, though, we take a healthy environment for granted. We assume that our wild places and abundant, diverse life will always be with us. It is a dangerous assumption.

Hawai'i is well-known as the endangered species capitol of the world. With hundreds of plants and animals listed as endangered or threatened, there are more endangered species per square mile on these islands than any other place on the planet.

That's why our State should be on the forefront of perpetuating and advancing the use of native plants in its landscaping. SB 287 would be a historic, but not unprecedented, first step. Numerous counties across the country like Dade County, Key Colony Beach, Key West, Lee County, Miami, and Scottsdale have all imposed native plant vegetation requirements.

Changes implemented by the legislature approximately ten years ago have already aided efforts to return native plants to the wild. Because of a change in the law, local nurseries can now grow endangered plants and sell them commercially. This policy initiative opened up an entirely new and popular market. Folks are excited to grow native plants like the aiea and ohai in their yard. This success has also translated into a ready supply of plants for conservation and restoration projects.

Our state could take a leadership role in protecting native plants that are at the heart of our culture instead of continuing the tradition of importing alien plants from foreign countries. For example, imagine the State Capitol having our State Flower, the *ma'o hau hele*, planted nearby instead of mainland-hybrids. Or a row of ohia planted along the Pali or Likelike highways?

HB 297 would be an economic benefit for local nurseries. We would no longer rely upon plants shipped in from other countries, which are frequently the source of invasive species, and would instead use plants found only here.

We recognize there are some "first draft" problems with the current language proposed. In order to resolve some of the concerns, *we suggest amending the effective date to July 1, 2013* so as to give the agencies and nurseries the time to develop necessary infrastructure and plans. Further, we suggest making following revisions:

***Proposed Amendments:***

Adding after "provided that:"

(1) Suitable cultivated plants can be made available for this purpose without jeopardizing wild plants in their natural habitat;

(2) Wherever and whenever possible, [indigenous] native Hawaiian land plants shall be used for landscaping on the island or islands on which the species originated.

(3) This section shall not apply to the landscaping of sod or turf; and

(4) This section shall not apply to a historic property designated under Haw. Rev. Stat. § 6E.

Mahalo for the opportunity to testify.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 05, 2011 11:26 PM  
**To:** PGM Testimony  
**Cc:** merway@hawaii.rr.com  
**Subject:** Testimony for SB287 on 2/8/2011 3:15:00 PM

Testimony for PGM 2/8/2011 3:15:00 PM SB287

Conference room: 224  
Testifier position: support  
Testifier will be present: No  
Submitted by: Marjorie Erway  
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Submitted on: 2/5/2011

**Comments:**

This bill requires the State to show leadership by using native Hawaiian plants in ALL public landscaping. This is a very important step. Please support native beautiful Hawaiian plants! Mahalo for your consideration.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 06, 2011 8:27 AM  
**To:** PGM Testimony  
**Cc:** mariyakai@gmail.com  
**Subject:** Testimony for SB287 on 2/8/2011 3:15:00 PM

Testimony for PGM 2/8/2011 3:15:00 PM SB287

Conference room: 224  
Testifier position: support  
Testifier will be present: No  
Submitted by: Mariya Gold  
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Submitted on: 2/6/2011

Comments:



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**From:** clk@quixnet.net on behalf of clk [clk@quixnet.net]  
**Sent:** Sunday, February 06, 2011 11:39 AM  
**To:** PGM Testimony  
**Subject:** SB287

I have often wondered why Hawaii doesn't use native plants in public landscaping. In my opinion, this is a no brainer.

I think we would learn to appreciate our remaining native plants more than we do and, as a result, our children may learn how critical conservation is to Hawaii. And, tourists, a major industry in Hawaii, will experience more of our beautiful native environment while visiting the islands.

Thank you for your consideration.

Carolyn Knoll  
Kaneohe, Hawaii  
Bill No. SB287, Tuesday, February 8th, 3:15p.m.

**SENATE COMMITTEE ON Public Safety, Government  
Operations, and Military Affairs- February 7, 2011**

**TESTIMONY IN SUPPORT OF SB 287**

Aloha Chair Espero and Members of the Committee

As a concerned citizen I urge you to support this bill.

Members of the committee are no doubt aware that Hawai'i has more endangered native species than any other place on earth.

I believe we have a moral obligation to do whatever we can to prevent these species from becoming extinct.

Many of the plants facing extinction are beautiful examples of our flora that are quite capable of withstanding the rigors of use in landscaping public buildings and roadways. The failure to use them is a relic of an outdated and colonial mindset.

This bill provides the state with a simple vehicle to simultaneously protect and promote endangered without making fresh demands on state finances in this difficult economic climate.

Many public projects already include funds for landscaping. This bill would simply direct that those funds be used to procure native Hawaiian plants. It is absurd that those funds should be used to buy non-Hawaiian plants.

I respectfully urge you to support this bill.

Mahalo  
Anthony Aalto



## LANDSCAPE INDUSTRY COUNCIL OF HAWAII'I

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RE: Senate Bill 287  
Regarding The Exclusive Use Of Native Plants For All State Projects

Aloha Senator Donovan M. Dela Cruz, Senator Gilbert Kahele  
And Senator Clarence K. Nishihara,

I recently became aware of the content of Senate Bill 287 and as the president of the Landscape Industry Council of Hawai'i (LICH), I wanted to share with you my thoughts on the benefits and impacts of the S.B. 287 in its current form. Although I am the landscape industry president, I am a state worker and have no financial interests from the passing of this bill but I am a native plant advocate.

I have lead all of LICH's recent sustainability initiatives: Invasive Species Initiative (the most aggressive in the nation, 2008), Irrigation Water Conservation Initiative (saving over 50% of outdoor water use, 2010) and Native Plant Initiative (only initiative for reintroducing native species in a responsible manner, 2010).

A mere 8% of the land below 1000-foot elevation is inhabited by native species and frankly the amount in the built environment is around 1-2%. There are a number of reasons including agricultural practices altering the soil pH, invasive plants, low maintenance non-invasive plants, exotic ornamentals and our highly altered environment that is different than any ecosystem that a native plant has adapted to. There are only 10 native plants that make up over 90% of the native plants in the built environment.

What is the best we can do regarding native species? With an aggressive strategy for the built environment, we can develop a 'hybrid' environment of 30-40% native plants over 20 years and this is highly dependent on developing a native turf grass.

While the intent of the bill is an important step in the right direction, the implementation is problematic. I am aware of some of the challenges from leading the LICH Native Plant Initiative and my position at the state where I manage 2,500 miles of state roadsides. I will attempt to explain what I know so you can craft a great bill.

#### Street Trees

Street trees are the real green of any city far outreaching all the city's parks. Street trees are amazingly resilient to survive in a three-foot by three-foot planting pit and grow to a size that is relative to the scale of streets. Street tree canopies and roots are pruned for clearance for people, vehicles and street curb projects. It's a rule of thumb that programmatically a city should have no more than 10% of any one tree species so that a Dutch Elm disease or in our case the Wiliwili gall wasp doesn't ravage our entire city. There are 36 trees that do well on our streets and one is native and three are Polynesian introduced. Street trees help to clean the air, curb storm water runoff, raise property values, sequester carbon, and reduce energy costs.

#### Historic Properties

Historic federal and state laws protect historic buildings and sites and restricting replacement plants to native may or may not be a problem. Native alternatives may in some cases meet the intent of the historic design but other times they will not.

#### Turf Grass

The biggest issue facing this bill is turf grasses. Short turf grasses are 75% or greater of all urban green spaces and there are no native turf grasses. The landscape industry needs to develop a native turf grass cultivar or variety. We currently use about 5 turf grasses for all the different situations; wear resistant for sports, salt tolerant for seashore and nonpotable water, full sun, shade, and drought resistant. Our parks, golf

courses, athletic fields, roadsides, lawns and playgrounds all depend on short turf grasses. Sustainability wise, Seashore Paspalum is the only turf grass that will thrive with nonpotable water saving our precious potable drinking water.

#### Erosion Control

Vetiver grass, a sterile non-native plant, has promising erosion control applications growing on hardpan and eroded areas. The State DOT is actively working on pilot projects. Vetiver grass will be 1/10 the cost of more costly plastic grids, fabrics, and metal soil anchors. Vetiver could be the magic bullet for eroded embankments providing a low cost and environmentally friendly solution reducing erosion and sediments entering our storm water drains and silting our reefs.

#### Native Plant Biodiversity

This bill would reduce our native plant diversity by homogenising native plants and reducing distinct varieties of native species. The landscape industry does not currently curate the source of plants and propagates one genetic version millions of times. So a plant like Naupaka from Oahu will end up on every other island and there is no way currently to verify the origin of a plant. Hawaii enjoys some of the most diverse plant genetics in the world. A recent study showed that Ohia enjoyed 30 times more genetic diversity in Hawaii than a particular Pine with a range across the entire western United States. The industry through the LICH Native Plant Initiative is working hard to resolve this issue, but we're years away from meaningful results.

#### Financial Perspective

Requiring all state projects to exclusively use native plants would be great financially for the landscape industry but with our current practices would be more expensive to plant and to maintain than non-native plants. From my experience at the State, the installation is many times more expensive to install and maintain. While state projects are using native plants, more maintenance resources are needed for long-term success.

#### Hydroseeding Cost Efficiency

Hydroseeding is a quick, economical, and effective means of establishing plantings where seeds are mixed together in a slurry of mulch and essential fertilizers and sprayed uniformly across the soil, creating a favorable, nutrient rich environment for the germination and establishment of seedlings into the soil. Typically grass is hydroseeded but shrubs and trees can also be utilized as long as the seeds are small. Developing low cost hydroseeding techniques for native plants is a critical step for using native plants on the scale of large projects like roads, highways and large developments. Hydroseeding is generally less than 10% - 20% of planting

costs. There are a number of research projects discovering the means of hydroseeding native plants but the results are very preliminary.

#### State Project Process

State projects take years to development with all the required processes and enacting this bill would require design changes on current projects that would have some cost impacts. Also a project with non-native trees involving transplanting to another site; would these non-native trees have to be destroyed since we can't use funds for non-native trees?

To make Senate Bill 287 a success, I would suggest one of two approaches or a combination to avoid these impacts and take advantage of this opportunity for government to lead by example. The simple short-term solution would be limit native plants to the perimeter of the building footprint and include additional maintenance funds to agencies affected particularly the State Department of Education and the State Department of Accounting and General Services.

The long-term solution is to financially support the LICH Native Plant Initiative for the responsible use of native plants. This is the real 800-pound gorilla in the room, this is the bold move to make as a leader, and this will achieve an important component of sustainability and protect and enhance one of the distinctive elements that make Hawai'i so special. The estimated budget for LICH Native Plant Initiative is \$38.5 million over ten years.

The LICH Native Plant Initiative (NPI) is a long term effort to change the paradigm of using non-native plants and reverse the decline of native plants by promoting the responsible use of native plants in their original range of distribution. The LICH NPI is an inclusive, transparent, and collaborative nonprofit industry initiative bringing together professionals from the landscape industry, conservation, forestry, agricultural, government, education and science to protect and enhance our native biodiversity.

I am excited about Senate Bill 287 and as a native plant advocate I want it to succeed. If you would like to discuss this further feel free to contact me at 927-3503 or email at [chris.dacus@gmail.com](mailto:chris.dacus@gmail.com).

Chris Dacus  
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cc: Senate Committee on Public Safety, Government Operations, and Military Affairs  
Department of Land And Natural Resources  
Department of Education  
Department of Accounting and General Services

Department of Transportation  
Hawaii Farm Bureau Federation  
Hawaii Forestry Industry Association  
Hawaii Floriculture and Nursery Association  
Sierra Club  
The Outdoor Circle  
Aloha Arborist Association  
American Society of Landscape Architects Hawaii Chapter  
Hawaii Association of Nurserymen  
Hawaii Island Landscape Association  
Hawaii Landscape and Irrigation Contractors  
Hawaii Society of Urban Forestry Professionals  
Kauai Landscape Industry Council  
Maui Association of Landscape Professionals  
LICH Board of Directors

Landscape Industry Council of Hawai'i

Hawai'i's landscape industry is one of the fastest growing and largest segments of the green industry with an economic impact of over \$520 million annually and full time employment of over 11,000 landscape professionals.

Celebrating 25 years, LICH was formed in June 1986, the Landscape Industry Council of Hawai'i is a state wide alliance representing Hawai'i's landscape trade associations: Aloha Arborist Association, American Society of Landscape Architects Hawaii Chapter, Hawaii Association of Nurserymen, Hawaii Island Landscape Association, Hawaii Landscape and Irrigation Contractors, Hawaii Society of Urban Forestry Professionals, Kauai Landscape Industry Council, Maui Association of Landscape Professionals, Professional Grounds Management Society, Big Island Association of Nurserymen, and the Hawaii Professional Gardeners Association.

Online at [www.landscapehawaii.org](http://www.landscapehawaii.org)