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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
AGRICULTURE & ENVIRONMENT

Wednesday, February 3, 2021

1:00 PM

Video Conference

In consideration of
SENATE BILL 777
RELATING TO THE CRIMINAL DESTRUCTION OF TREES

Senate Bill 777 proposes to establish a criminal statute for the criminal destruction of trees on state or county property punishable as a misdemeanor. **The Department of Land and Natural Resources (Department) supports this measure provided that its passage does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request.**

The Department recognizes trees as our strongest allies for addressing the climate crisis. In addition to carbon sequestration, trees reduce ambient temperatures and storm water runoff, increase wildlife habitat, and provide human health, psychological and quality of life benefits. New seedlings can take years before they realize ecological and human health benefits; however existing mature trees already provide significant benefits, underscoring the importance of their protection.

The proposed criminal statute in this bill should be line with or specify if it replaces existing State and County regulations related to fines for damaging public trees. The Department notes that SB1163 addresses tree destruction or theft in State Forest Reserves with a penalty that shall be “an amount up to \$10,000 or three times the market value at the time and place of the violation, as determined by the Board of Land and Natural Resources, for each tree, whichever is greater, in addition to any costs associated with restoration or replacement of the habitat and damages to public land or natural resources, or any combination thereof.” It may strengthen the ability to enforce tree-related infractions if a framework for a fine schedule was specified in one place, such as this bill. Finally, the Department thinks this legislation regarding the destruction of trees offers an opportunity for education about the benefits of trees, which may result in impacts beyond issuing penalties.

Thank you for the opportunity to comment on this measure.



Written Testimony before the

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Wednesday, February 3, 2021 (1:00 pm)

RE: SB777 RELATING TO THE CRIMINAL DESTRUCTION OF TREES

Chair Gabbard, Vice Chair Nishihara, Members of the Committee on Agriculture & Environment:

Trees for Honolulu's Future (TFHF) is a non-profit organization with a vision for a tree-filled island that preserves and enhances our quality of life, especially in the face of climate change.

We support the above-referenced bill, which establishes a criminal statute for the criminal destruction of a tree on state or county property punishable as a misdemeanor. At the risk of sounding trite, "who speaks for the trees"? They do not have a voice, they deserve protection. We thank Senator Lee for stepping up and introducing this measure. Full disclosure, Senator Lee is a member of our voluntary Panel of Advisers.

While for the City & County of Honolulu there is an ordinance addressing destruction of street trees, having this additional statute to charge under is another tool for law enforcement. One challenge we've heard anecdotally is needing of a police officer to witness the actual act. While we do not know if that will be the case with SB777, we urge the Legislature to consider means to make it easier, similar to what we understand was done with regard to setting off fireworks illegally, for law enforcement to bring charges.

This is a good chance to reiterate the multiple benefits of trees well documented by research. Trees create shade and use evapotranspiration to lower temperature. Trees also recharge groundwater and decrease surface runoff protecting our reefs. Trees trap pollutants and store CO2. Trees calm traffic and so much more. They are indeed, valuable infrastructure.

We ask that this bill be passed to the Senate Committee on Judiciary and continue to advance. Thank you for the opportunity to testify.

Mahalo,

Daniel Dinell
President

HONOLULU is HOT TREES are COOL

Visit us: www.TreesForHonolulu.org Contact us: info@TreesForHonolulu.org Voice/Fax/Text: 808-707-6353
P.O. Box 12051, Honolulu, Hawaii 96828

SB-777

Submitted on: 2/2/2021 3:31:44 PM

Testimony for AEN on 2/3/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Harding	Testifying for Lani-Kailua Outdoor Circle	Support	No

Comments:

The Lani-Kailua Outdoor Circle (LKOC) supports this Bill. Intentional or malicious damaging of trees in public spaces should be punished. This Bill will help deter this type of activity and protect our urban tree canopy.

sincerely,

Diane Harding

LKOC President