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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

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Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the Senate Committee on  
WATER AND LAND

Wednesday, March 27, 2024  
1:00 PM

State Capitol, Conference Room 229 and Via Videoconference

In consideration of  
SENATE CONCURRENT RESOLUTION 216/ SENATE RESOLUTION 191  
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
REQUIRE ALL CERTIFIED ARBORISTS IN ITS EMPLOY TO ADHERE TO  
INDUSTRY BEST PRACTICES

Senate Concurrent Resolution 216 and Senate Resolution 191 urges the Department of Land and Natural Resources (Department) to require all certified arborists in its employ to adhere to industry best practices. **The Department offers the following comments.**

The Department's Kaulunani Urban and Community Forestry Program builds capacity in our communities to plan for, establish, manage, and protect green infrastructure, including street trees, urban forests, green spaces, bioswales, and related natural areas where we live, work, and play. The Kaulunani program recognizes the value of certified arborists and following industry standards for tree care.

The Department offers the following comments:

- The resolution's reference to "certified arborists in its employ to adhere to industry best practices" is not clear whether this is inclusive of contracted tree workers contracted by the Department or only tree workers employed by the Department. Most urban tree work on State-administered lands (not including forest reserves, which are managed by foresters not arborists) is contracted, not carried out by Department employees. To be most effective this should be clarified.
- It would be valuable to implement a system where all State of Hawai'i agencies and properties under State of Hawai'i control who perform or contract work can be required

to follow the American National Standards Institute (ANSI) A300 Tree Care standards,  
to clarify what is meant by Best Management Practices.

Mahalo for the opportunity to comment on these resolutions.

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Helping to keep Hawai'i  
clean, green, beautiful,  
livable and sustainable  
since 1912



March 22, 2024

RE: Strong Support for SCR216 and SR191 Regarding Best Management Practices

Dear Chair Inouye and Committee Members,

The Outdoor Circle strongly supports the intent of SCR216 and SR191 regarding "Best Management Practices in Arboriculture," but we would offer some friendly suggestions for changes to actually be significantly more effective in a manner in which we think would benefit the state more comprehensively.

**Essentially, The Outdoor Circle is advocating for "Best Management Practices" (BMP) for all tree management operations to be an official policy of the State of Hawaii, all of its auspices, including Departments, Agencies, Boards, and other sub-units, as well as all work contracted by the State for work to be performed on any state lands or any lands controlled by the state or paid for by the state, not just that of "certified arborists" under the "employ" of DLNR. The reason for this is that certified arborists are hopefully already following best practices as demanded by their certified status, and thus this SCR and SR do not cover many of trees under the state's control needing best management practices.**

This obviously is not a new or novel idea for any field, and is designed not only to protect and preserve beautiful living state resources, but also to ultimately save the state monies in poorly planned and executed tree maintenance work.

At The Outdoor Circle, we receive desperate pleas for help from certified arborists who are asked to bid on contracts that specifically violate professional standards of care and best practices, such that if they perform the work as called for, their professional certification and ethical standards are compromised. This is an intolerable situation to ask professionals to knowingly violate their own industry standards, as required by State of Hawaii agents who may knowingly or unknowingly produce procurement of services that violate best practices and put certified arborists into these situations.

As Kevin Eckert, who is an expert ISA (international Society for Arboriculture) Board Certified Master Arborist and Tree Risk Assessment Qualified Instructor, as well as the current president of the Western Chapter of the ISA, of which the Aloha Arborists Association is a constituent member noted to us regarding BMPs:

"Unless they involve qualified, competent, professional arborists, I don't know of any State agency that consistently follows the recognized BMP. It seems that frequently, the local supervisor determines what is done based on their preferences without consideration, and sometimes in conscious violation, of BMPs...."

I agree that it would be easier and more effective to adopt these across the board, as long as there is adequate support and a strong enforcement mechanism that is applied."

Mr Eckert and others who are leaders in the field, and all relevant professional organizations, have some professional BMP sample template recommendations for the State of Hawaii and all of its organs moving forward with best management practices. This is especially important when work is contracted out to be written into contracts, which is the only way that this can be enforced. These recommendations follow clear, simple national/international guidelines that have been around for decades and comport with ANSI A-300, ISA and similar international standards.

As Mr Eckert notes:

"The use of appropriately qualified personnel ensures a level of technical expertise, understanding and skill to conduct work satisfactorily ....Proper tree care is a long-term investment that can lead to substantial current and future benefits. Properly managed and maintained trees reduce tree-related risk, enhance aesthetics and add significant value to the environment, quality of life and amenity value of the property. Pruning or removing trees, especially large trees, can be dangerous work if not performed by properly equipped, trained, and skilled workers."

In many, if not most instances, this is a straightforward practice that simply requires a policy that is enacted and enforced.

Some sample wording for a law might look like:

"The State of Hawaii and all of its administrative units or those under its jurisdiction and/or control, as well as in all contracted or procurement of services shall adopt and enforce Best Management Practices in all tree management operations as are current by recognized international standards."

There is no need to reinvent the wheel here, but simply adopt standards that are universally-recognized.

For this year and because this is a SCR and SR, and not a bill, we might suggest the following changes to the SCR/SR in the title if that is a possibility and in two clauses:

In the title we would suggest a change (if possible) to:

Urging the State of Hawaii, all of its administrative units and properties under its jurisdiction and control, including contracted work, to require that Best Management Practices be required in all arboriculture-related care.

And in the text itself in the last "WHEREAS" to change from the "DLNR" to simply "The State of Hawaii" so that all of the state and its organs are included.

Finally, in the "BE IT RESOLVED" that the last section of that sentence replace "...that the Department of Land and Natural Resources..." with:

“The State of Hawaii and all of its administrative units or those under its jurisdiction and/or control, as well as in all contracted or procurement of services shall adopt and enforce Best Management Practices in all tree management operations as are current by recognized international standards.”

In summary, the need for Hawaii to have a policy that is uniform, consistent, and enforced is essential for care of our State’s arboriculture resources. There should be no controversy or difficulties in understanding the need for this BMP to be used, and we appreciate all efforts to improve the quality of care as mandated by the state in this area.

Thank you for your service to elevate the care for our state’s resources that is needed to keep Hawaii beautiful and green.

A handwritten signature in black ink, appearing to read 'W. Welch', with a long, sweeping horizontal stroke extending to the right.

Winston Welch  
Executive Director

**SCR-216**

Submitted on: 3/23/2024 1:58:01 PM

Testimony for WTL on 3/27/2024 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to:- URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REQUIRE ALL CERTIFIED ARBORISTS IN ITS EMPLOY TO ADHERE TO INDUSTRY BEST PRACTICES.