

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
LABOR & PUBLIC EMPLOYMENT**

**Tuesday, February 16, 2016
10:00 AM**

State Capitol, Conference Room 309

**In consideration of
HOUSE BILL 2693, HOUSE DRAFT 1
RELATING TO THE STATE HISTORIC PRESERVATION DIVISION**

House Bill 2693, House Draft 1 proposes establish two positions within the Department of Land and Natural Resources' (Department) State Historic Preservation Division (SHPD) to be funded by the Hawaii Department of Transportation (HDOT) to ensure timely review of HDOT projects subject to review by SHPD. **The Department strongly supports this bill and respectfully asks that the effective date of the Act be restored to July 1, 2016.**

Review of transportation projects by SHPD under Chapter 6E, Hawaii Revised Statutes, and section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, is an essential element of transportation project planning, and approval. Timely implementation of such projects is dependent, to some degree, on timely review by SHPD.

SHPD archaeological staff is expected to review 20 submissions per week. Without making allowances for illness, holidays, and vacations, each reviewer would complete 240 reviews per year. If all reviewer positions were filled for the entire year, SHPD could respond to 1680 submissions.

The last two calendar years SHPD has received an average of 2,850 submissions for review. Even under ideal conditions, SHPD does not have enough approved positions to complete reviews of all the submissions received within the statutory or regulatory timelines. This inevitably delays projects, including critical housing and infrastructure developments.

SUZANNE D. CASE
CHAIRPERSON
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LAND
STATE PARKS

The Administration's supplemental budget request recognizes SHPD's workload issues and helps to address this by requesting the establishment of six new positions in SHPD, including three archaeologists. If approved, these positions would substantially reduce the gap between submissions and reviewer capacity.

House Bill 2693, House Draft 1 establishes an archaeologist and office assistant position in SHPD to be funded by HDOT. These positions would allow SHPD to review transportation projects in a more timely fashion, as well as more effectively address the gap between submissions and staff capacity allowing SHPD to complete reviews within the mandated timelines.

TO: Representative Mark M. Nakashima, Chair
Representative Jarrett Keohokalole, Vice Chair
House Committee on Labor & Public Employment

FROM: Sara L. Collins, Ph.D., President
Society for Hawaiian Archaeology
sara.l.collins.sha@gmail.com

HEARING: Tuesday, February 16, 2016 at 10:00 AM in Conference Room 309

SUBJECT: Testimony in SUPPORT of HB 2693, HD1, Relating to the State Historic Preservation Division

I am Dr. Sara Collins, President of the Society for Hawaiian Archaeology (SHA). We have over 150 members that include professional archaeologists and advocates of historic preservation in general. I am writing this testimony in support of HB 2693, HD1 which proposes to amend sections of Chapter 6E, Hawaii Revised Statutes so as to establish two positions in the State Historic Preservation Division (SHPD) in the Department of Land and Natural Resources (DLNR). Both positions are to be paid for with funds from the Hawaii Department of Transportation (HDOT). The two full-time equivalent (2.0 FTE) permanent positions to be paid for by HDOT and placed in SHPD consist of an Archaeologist IV position and an Office Assistant III position. The purpose in creating these two positions is to enhance the capabilities of SHPD to expeditiously review HDOT project proposals by creating and funding these two additional positions.

We generally support the concept of this bill and believe that an additional regulatory position in archaeology as well as an administrative position will, as hoped, improve SHPD's ability to provide timely and competent regulatory reviews of HDOT's and others' project proposals. That said, we have several comments about the subject bill:

- Although the subject bill claims that "the speed at which the historic preservation division is able to review department of transportation projects is severely [sic] limited by the size of its staff," we question whether SHPD should be blamed for all such delays. We note that HDOT already has two FTE permanent positions for historic preservation professionals – a qualified archeologist and an architectural historian – whose incumbents assist HDOT in the preparation of accurate and complete project proposals for submittal to SHPD. We wonder if this approach has proved effective in helping HDOT expedite the historic preservation review process since they have been in place for at least two or three years now. Perhaps HDOT could be requested to provide an update on how the addition of these positions has improved the agency's ability to prepare project proposals.
- Conflict of interest is always a concern when it comes to funding and we would recommend that all prudent steps be taken to avoid it should HB 2693, HD 1 be adopted. The Office Assistant III position is not a concern but the Archaeologist IV position is regulatory in nature and therefore more care should be taken to ensure its incumbent is not vulnerable to undue influence. Therefore, we would recommend that another regulatory archaeologist in SHPD, not the one paid for by HDOT funds, be assigned to carry out HDOT reviews.

Mahalo for considering our testimony. Should you have any questions, please feel free to contact me at the above email address.

LABtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 15, 2016 10:43 PM
To: LABtestimony
Cc: hawaiiifishingfanatic@gmail.com
Subject: *Submitted testimony for HB2693 on Feb 16, 2016 10:00AM*



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HB2693

Submitted on: 2/15/2016

Testimony for LAB on Feb 16, 2016 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Support	No

Comments:

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