

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
WATER & LAND**

**Friday, February 05, 2016
8:30 AM
State Capitol, Conference Room 325**

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

House Bill 2693 proposes to establish two positions within the state historic preservation special fund to be funded by the Hawaii Department of Transportation (HDOT) to ensure timely review of HDOT projects subject to review by the State Historic Preservation Division (SHPD). **The Department of Land and Natural Resources (Department) strongly supports this bill.**

Review of transportation projects by the 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.

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 2850 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 circumstance inevitably delays projects, including critical housing and infrastructure developments.

The Administration's supplemental budget request recognizes SHPD's workload problems and helps to address this by requesting the establishment of six new positions in SHPD including

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

three archaeologists. If approved, these positions would substantially reduce the gap between submissions and reviewer capacity.

House Bill 2693 establishes an archaeologist and office assistant position in SHPD to be funded by HDOT, which would help SHPD deal in a more timely fashion with transportation projects as well as more effectively address the gap between submissions and staff capacity to complete reviews within the mandated timelines.



**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Leimana DaMate
Executive Director

Before the House Committee on
Water & Land

Friday, February 5, 2016
8:30 a.m.
State Capitol, Conference Room 325

**In Consideration of
HOUSE BILL 2693
RELATING TO THE STATE HISTORIC PRESERVATION DIVISION**

House Bill 2693 establishes two positions in the State Historic Preservation Division (SHPD) in the Department of Land and Natural Resources. **The Aha Moku SUPPORTS this measure.**

The Aha Moku encompasses the eight main Hawaiian Islands, which in turn is comprised of 47 moku and 607 ahupua'a, each one of which is individual and unique with many traditional families who either still live on the land, or who have ancestors who did occupy the land at one time. All of these places have burials and kupuna iwi located within that ahupua'a. It is critical that SHPD have the resources to review the many submissions that come to them from the different islands, moku and ahupua'a. Right now, the number of reviewers is not adequate to comply with the sheer quantity of the submissions they receive. When SHPD gets the additional staff they need, the submissions they are sent will be done in a timelier manner.

Thank you for the opportunity to offer testimony and we ask that this committee pass this measure.

HISTORIC HAWAII FOUNDATION

TO: Rep. Ryan I. Yamane, Chair
Rep. Ty J.K. Cullen, Vice Chair
Committee on Water & Land

FROM: Kiersten Faulkner, Executive Director
Historic Hawaii Foundation

Committee: Friday, February 5, 2016
8:30 a.m.
Conference Room 325

RE: **HB 2693, Relating to the State Historic Preservation Division**

On behalf of Historic Hawaii Foundation, I am writing **in support for HB 2693**. The bill would establish two positions in the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources. The new positions of archaeologist IV and office assistant III would be for the purpose of enhancing the capabilities of SHPD in reviewing transportation projects that have the potential to affect historic properties and to assist the Department of Transportation to resolve any adverse effects to historic and cultural resources.

The State Historic Preservation Division is required by the National Historic Preservation Act (implementing regulations at 36 CFR Part 800) to participate in a process to protect historic properties that may be affected by any federal action or undertaking. As a significant majority of Hawai'i transportation projects involves federal funding, permits, licenses or approvals, these projects are subject to the federal law. In addition, all state and county projects—even those without federal involvement—are also to be referred to SHPD for review of the effect of the proposed project on historic properties (HRS §6E-8).

Both state and federal laws are designed to take into account the effect of a project on historic properties, and to avoid, minimize or mitigate for adverse effects. These laws are designed to strike a balance between providing for the current needs of a community (such as through sufficient, safe and adequate transportation options) and preservation of the historical and cultural foundations that are a living part of our community life.

The consultation process is therefore highly standardized and methodical in its framework, but allows for professional judgment, community input and creative solutions that respond to the specific needs and circumstances of each case.

It can only work with adequate professional staff to participate in the process and ensure its timely completion. Enhancing the capacity of SHPD for timely and well qualified participation serves both to support our historic properties and ensure the timely completion of transportation projects.

Therefore, Historic Hawai'i Foundation supports HB 2693.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2016 8:16 AM
To: waltestimony
Cc: dylanarm@hawaii.edu
Subject: *Submitted testimony for HB2693 on Feb 5, 2016 08:30AM*

HB2693

Submitted on: 2/3/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Armstrong	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:25 PM
To: waltestimony
Cc: laluz@maui.net
Subject: Submitted testimony for HB2693 on Feb 5, 2016 08:30AM

HB2693

Submitted on: 2/2/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
lucienne de naie	Individual	Support	No

Comments: Please support this bill. SHPD needs more staff to review that many worthwhile transportation projects proposed across the state. Mahalo

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 05, 2016 10:23 AM
To: waltestimony
Cc: inunyabus@gmail.com
Subject: Submitted testimony for HB2693 on Feb 5, 2016 08:30AM

HB2693

Submitted on: 2/5/2016
Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
elaine dunbar	Individual	Oppose	No

Comments: What are you thinking? This is not in the best interest of protecting and preserving in accordance with Hawaii's Constitution: it is a CLEAR CONFLICT OF INTEREST. House Bill 2693 Establishes an archaeologist and office assistant position in SHPD to be funded by HDOT.

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