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GOVERNOR OF HAWAII



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

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Monday, March 15, 2021
1:00 PM**

State Capitol, Via Videoconference, Conference Room 229

**In consideration of
HOUSE BILL 1031
RELATING TO THE HISTORIC PRESERVATION REVIEW BOARD**

House Bill 1031 proposes to reduce the size of the Hawaii Historic Places Review Board (HHPRB) from ten members to seven members. **The Department of Land and Natural Resources (Department) strongly supports this Administration measure.**

HHPRB members are appointed by the Governor and subject to confirmation by the Senate. Section 6E-5.5, Hawaii Revised Statutes (HRS), establishes the HHPRB and requires that the membership include at least one person professionally qualified in each of fields of archaeology, architecture, history, and sociology. Section 6E-5.5, HRS, also requires that the Governor appoint one person “knowledgeable in traditional Hawaiian society and culture” to the HHPRB.

The principal duties of the HHPRB are to list places in the Hawaii Register of Historic Places (Hawaii Register), and to recommend nomination of places to the National Register of Historic Places (National Register). Listing in the Hawaii Register and/or the National Register is formal recognition of their significance in the heritage of Hawaii and the United States. Listing in the Hawaii Register makes a private residence eligible for county property tax reduction. Certified rehabilitation of Hawaii Register listed properties is eligible for a state income tax credit. Certified rehabilitation of an income producing property that is listed in the national register is eligible for a federal income tax credit. These tax programs are aimed at promoting the preservation of significant historic properties and have demonstrated their importance in revitalizing historic neighborhoods and communities.

In order to be approved by the State Historic Preservation Office under the National Historic Preservation Act, the State must have a “state historic preservation review board.” As established in Section 6E-5.5, HRS, the HHPRB meets the requirements of Section 301(12) of the National Historic Preservation Act.

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
ACTING 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

During the last seven years, the HHPRB has had the full complement of ten members for approximately twelve months. The HHPRB currently has two vacancies, and two more members will reach the end of their second term in a few months. Recruitment has been getting progressively more difficult. At present, HHPRB quorum is six, and six yes votes are required for a motion to carry. At the beginning of the next fiscal year, in order to meet and conduct business all appointed members must be present and any motion to list a property will require a unanimous yes vote.

Reduction of the HHPRB from ten to seven members would reduce the quorum to four and the number of required yes votes for a motion to carry would also be four. Reducing the size of the HHPRB will ease the recruitment problem, and reduce the potential for the HHPRB to be unable to meet and conduct business due to lack of quorum. It also addresses the problem of positive listing decisions requiring unanimous yes vote.

House Bill 1031 does not alter requirements for the required five expert members. The HHPRB would still meet the federal requirements established in the national historic preservation act.

Thank you for the opportunity to comment on this measure.

HISTORIC HAWAII FOUNDATION

TO: Senator Lorraine R. Inouye, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Water & Land (WTL)

FROM: Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation

Committee: Monday, March 15, 2021
1:00 p.m.
Via Video Conference/Conference Room 229

RE: HB 1031, Relating to the Hawai'i Historic Places Review Board

On behalf of Historic Hawai'i Foundation (HHF), I am writing **in opposition to HB 1031**. The bill would reduce the number of members of the Hawai'i Historic Places Review Board from ten to seven.

The Historic Places Review Board is a state board responsible for entering properties onto the Hawai'i State Register of Historic Places and recommending properties to be entered onto the National Register of Historic Places. The ten members are appointed by the Governor and confirmed by the Senate. They are chosen for their knowledge, skill and expertise in various professional disciplines related to historic preservation and properties. These disciplines include archaeology, architecture, history, sociology and traditional Hawaiian society and culture. Other disciplines include architectural history, preservation planning and historic interpretation.

The Review Board is charged with assessing properties for their value to Hawaii's heritage. The scope of their duties includes reviewing nominations for completeness and accuracy, determining if the properties meet established criteria related to historic significance and integrity, holding public hearings, and making formal findings.

The Board determines which properties meet or possess, individually or in combination, the quality of significance in Hawaii's history, architecture, archaeology and culture. The Review Board determines if properties are associated with events or patterns of history; are associated with the lives of persons significant in our past; that embody the distinctive characteristics of a type, period or method of construction; and/or have yielded or may be likely to yield important information about history or prehistory.

The strength of the Review Board is related to its diversity and inclusion. It is important for the Board to have a variety of professional backgrounds and experience, to have knowledge of different geographic areas and represent all islands, to understand and be sensitive to community knowledge and input, to reflect the ethnic and demographic diversity of the state, and to possess personal characteristics of public service and integrity.

It would be imprudent to reduce the composition of the Board by 30%. This would eliminate areas of knowledge and perspectives that offer value and benefit.

Therefore, Historic Hawai'i Foundation opposes HB 1031.

HB-1031

Submitted on: 3/12/2021 12:27:24 PM

Testimony for WTL on 3/15/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matt McDermott	Individual	Oppose	No

Comments:

Aloha Senate Committee on Water and Land:

I am in my second term as an archaeologist on the Hawaii Historic Places Review Board (HHPRB). Although I currently serve on the HHPRB, I am testifying as a private citizen.

I oppose this bill. The reduction of HHPRB membership to seven would jepordized the board's ability to fulfill its mission. A board membership of ten ensures sufficient members are present at each meeting and maintains the needed broad experience and background of the board.

I suggest that any difficulty maintaining the board membership at ten is not the result of lack of interest--in my opinion there are sufficient interested and qualified potential board members to maintain membership at ten. Difficulties maintaining the board membership at ten could better be addressed by streamlining and improving the board membership application and review process. This would avoid delays in appointing new members and keep the board membership at the full ten called for by current legislation.

Sincerely, Matt McDermott