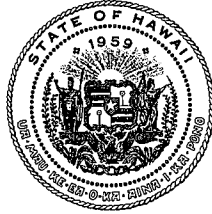
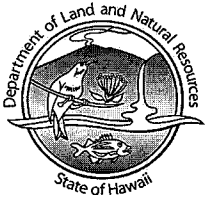


LINDA LINGLE  
GOVERNOR OF HAWAII



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

STATE HISTORIC PRESERVATION DIVISION  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON  
OF THE BOARD OF LAND AND NATURAL RESOURCES**

~~House Bill 2486- Submitting for Consideration and Confirmation to the Hawaii Historic Places  
Review Board, gubernatorial Nominee, Laura Schuster~~

**BEFORE THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT AND  
TAXATION**

March 27, 2008

House Bill 2486 proposes to create photographic standards for the documentation of historic buildings that are to be altered, demolished or impacted by a proposed project. While the Department of Land and Natural Resources (Department) acknowledges the intent of the bill, as it is consistent with the goals and objectives of our program, the Department is nonetheless concerned with the undo economic hardship that may be placed upon the individual owner.

The bill as is would require the State, County or private property owners to submit archival quality photographs to the Department's Station Historic Preservation Division prior to issuance of a permit or the commencement of an undertaking that will alter, impact or demolish a building over 50 years in age. The intent of this bill would be to produce a lasting record of many of Hawaii's historic buildings. However, this record would be incomplete without any supportive information such as a survey form. Additionally, this bill would place an unnecessary burden on the applicant since archival photographs are very costly. If the applicant is unable to afford the necessary documentation, they may be less likely to seek out permits for alteration, construction and demolition of historic buildings.

The Department recommends that the archival quality photographs only be a requirement for properties that are eligible for listing on the State or National Register of Historic Places or those that are already listed on the Hawaii or National Register of Historic Places. While fifty years is usually the age at which a building may be considered as eligible for listing on the Hawaii or National Register of Historic Places every building over fifty years in age is not eligible for listing on the Register. A structure must possess historic integrity in terms of its setting, design, materials, workmanship, location, feeling, and association in order to be eligible for listing on the Register. The Department must respond in writing to the initial request for consultation under chapter 6E-42 within thirty days.

**testimony**

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**From:** Kiersten Faulkner [Kiersten@historichawaii.org]  
**Sent:** Monday, March 24, 2008 12:33 PM  
**To:** testimony  
**Subject:** Testimony in support of HB2486, EDT Committee 3/27/08, 1:15 pm, room 224

**VIA EMAIL:** [testimony@capitol.hawaii.gov](mailto:testimony@capitol.hawaii.gov)

**To:** Senator Carol Fukunaga, Chair  
 Senator Will Espero, Vice Chair  
 Committee on Economic Development and Taxation

**From:** Kiersten Faulkner  
 Executive Director, Historic Hawai'i Foundation

**Committee Date:** Thursday, March 27, 2008  
 1:15 p.m.  
 Conference Room 224

**Subject:** **Support of HB2486 Relating to Historic Preservation**

On behalf of Historic Hawai'i Foundation (HHF), I am writing in support of HB2486. Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF works to preserve Hawaii's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life and economic viability of the state.

Historic Hawai'i Foundation supports HB2486, which would require photo documentation of historic buildings prior to demolition or alteration.

Historic Hawai'i Foundation recognizes that not all historic buildings have the level of significance or integrity that would necessitate complete preservation or restoration. At times, demolition or substantial alteration may be unavoidable. In these cases, it is important to have archival-quality documentation for future study, understanding of the context of the site, historic analysis or architectural record. Best practices in preservation have established the technical specifications that should be used for the photo-documentation and many such photographs are housed with the State Historic Preservation Division.

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**Testimony before the Committee on Economic Development and Taxation  
Senate, Regular Session of 2008**

**by Philip Hauret  
Senior Land Agent, Land & Rights of Way Department  
Hawaiian Electric Company, Inc.**

**March 27, 2008**

**House Bill 2486, Relating to Historic Preservation**

Chair Fukunaga and members of the committee:

My name is Phil Hauret and I am testifying on behalf of the Hawaiian Electric Company and its subsidiaries, Hawaii Electric Light Company and Maui Electric Company. We respectfully oppose House Bill 2486 because its broad implications could cause serious delays to improvements and maintenance of several of our facilities which are over 50 years old.

The ambiguity of this bill is also a concern. It amends, or adds to, three sections of the law regarding the preservation of historic properties. Essentially, it requires the owner of a historic property, or any building over 50 years in age apparently, to submit to the Department of Land and Natural Resources "archival quality black and white photographs" of the property as a condition of either demolishing, reconstructing or altering the property. Upon receipt of the photos, DLNR has 90 days to review the proposed action, and in the case of private property, has three options: 1) condemn the property; 2) allow the proposed action; or 3) in coordination with the owner, initiate a preservation program of any historic information or artifacts.

In section one of the bill, the counties are required to hold up construction permits for "historic buildings" until the archival photos are provided to DLNR, which would presumably, though the bill does not spell this out, activate the DLNR review process. Unfortunately, this section does not define historic buildings, and in HRS §6E, which addresses historic preservation, only the term "historic property" is defined. Are historic buildings the same as historic properties? HECO owns a number of buildings over 50 years in age, including two power plants and our original building at Ward Avenue, and we are concerned that this requirement would impose an unreasonable burden upon the most innocuous of alteration activities, not to mention its impact upon a large number of residential properties. And regarding the provision of photographs, would this include every aspect and angle of a property and every piece of equipment, or in the case of alterations, just the affected area? The bill does not clearly define this.

Section three of the bill appears to expand the affected class of properties to all buildings over 50 years in age, not just properties already on a historic register. This ambiguity would seem to include many of HECO's properties or any residential property over 50 years in age. If that is not the intent of the legislation, we ask this committee to please clarify that it should only apply to registered properties over 50 years in age.

Thank you for the opportunity to testify.