



HB194
RELATING TO HISTORIC PRESERVATION
House Committee on Water & Land

February 8, 2013

8:30a.m.

Room: 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB194, which requires the State Historic Preservation Officer (SHPO) to meet federal professional qualification standards and the governor to give notice of the appointment to the Legislature. **The SHPO bears the enormous responsibility of managing the preservation of Hawai‘i’s historic structures, places and iwi kūpuna, and ensuring continued federal funding for preservation. In light of this, we must ensure the most qualified candidates serve in this position.**

SHPOs administer the national historic preservation program at the State level, ensure historic properties are taken into consideration at all levels of land use planning and development, maintain data on historic properties, consult with Federal agencies during Section 106 review, and provide public education and assistance on historic preservation issues. Additionally, SHPOs are required to provide for adequate public participation in these historic preservation processes and to employ professionally qualified staff in the areas of history, archeology, and historic architecture.

Qualifications of a SHPO are guided by the National Historic Preservation Act of 1966, as amended, and the by the Department of the Interior through its National Park Service, as authorized by 36 CFR Part 61. Non-compliance with these Federal standards puts a historic preservation program at risk, jeopardizes Federal monies to the local program, and puts irreplaceable public trust historic resources at great risk of irreparable harm. This bill seeks to reinforce these important Federal qualifications at the State level. Since the SHPO fulfills an integral role in the implementation and effectuation of the historic preservation rules, laws and policies throughout the islands, it is imperative that this position be regularly filled with a qualified and experienced individual knowledgeable about historic preservation laws and cultural practices.

Although this bill would be a positive step, OHA suggests clarification on the requirement. In addition to codifying the federal requirements, this bill adds that the SHPO must “[b]e a qualified historic preservation professional in architecture, architectural history, archaeology, history, culture, or a closely related field” but does not specify what criteria would render someone “qualified.”

OHA recommends that this ambiguity be clarified in order to further strengthen this bill. OHA urges the Committee to **PASS** HB194, taking into account our above-mentioned comments. Mahalo for the opportunity to testify.