

HB1678

Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 14, 2014 7:52 AM
To: TECTestimony
Cc: dlching@aol.com
Subject: Submitted testimony for HB1678 on Mar 18, 2014 14:05PM

HB1678

Submitted on: 3/14/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Donna L. Ching	Individual	Oppose	No

Comments: This bill would irreparably damage the historic legacy of Hawaii. Please do not allow its passage

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Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 14, 2014 3:22 PM
To: TECTestimony
Cc: cfrith@fbsmgt.com
Subject: Submitted testimony for HB1678 on Mar 18, 2014 14:05PM

HB1678

Submitted on: 3/14/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Frith	Individual	Oppose	No

Comments: 1. Homes and human habitation are important elements of any community's history. It is illogical and extreme to exclude them from the definition of historic property. 2. State law should be consistent in treating similar cases using the same standards. It is arbitrary to treat some historic properties less seriously than others. 3. There are more appropriate and common-sense solutions to a perceived issue related to permit review, rather than to exclude entire neighborhoods and communities from measures developed to protect them. 4. Undermining the protection of residential properties merely because the review is inconvenient could also lead to undermining protection of other classes of historic and cultural sites when they are also inconvenient. Mahalo for taking the testimony of residents and taxpayers of Hawaii.

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1630 Makiki St., B204
Honolulu, HI 96822
March 14, 2014

The Honorable Glenn Wakai
Chair, Technology and the Arts Committee
State Senate
Hawaii State Capitol, Room 216
415 S. Beretania Street
Honolulu, HI 96813

Re: HB 1678 HD1 and SB 2633 SD1 – Opposition

Senator Wakai,

I am writing in strong opposition to HB 1678 HD1 and SB2633 SD1. Both bills, as currently drafted, are bad State policy and technically flawed.

Exempting all residential properties in the permit review process, except properties nominated by owners to the State Register of Historic Places, from consideration of their historic, archaeological, and cultural significance relegates those thousands of sites to second-class status. Owners will not have access from historic preservation professionals as to evaluation of historic significance and advice as to best methods for preserving historically significant features, as they plan alterations and additions to their properties. This is a big step backwards in Hawaii's forward-thinking historic preservation policy.

In addition, also labeling all residential properties, except those nominated to the Register by owners, as NON-HISTORIC, sends a message to all that the overwhelming number of structures ever built in Hawaii can never have any historic significance. That grossly distorts the history of Hawaii. Even if permits for changes or alterations to those properties are exempted from historic preservation review, at least in telling the history of the State those structures should have a chance to play their due part. At the very least, HB 1678 HD1 and SB2633 SD1 should be amended to delete the exemption of residential properties from the definition of "Historic Property" in HRS §6E-2.

Any perceived unreasonable delays in processing permit applications for changes or alterations to residential properties can be corrected administratively at the county level, without gutting Hawaii's long-standing policy to preserve its historically significant structures and sites.

Thank you in advance for serious consideration of comments on these 2 bills, as they move through the Water and Land Committee.

Sincerely,

Philip Deters

Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 16, 2014 4:14 AM
To: TECTestimony
Cc: jemray@hawaii.rr.com
Subject: Submitted testimony for HB1678 on Mar 18, 2014 14:05PM

HB1678

Submitted on: 3/16/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Murray	Individual	Oppose	No

Comments: OPPOSE HB 1678 please.

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Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 16, 2014 3:05 PM
To: TECTestimony
Cc: MSMatson@hawaii.rr.com
Subject: Submitted testimony for HB1678 on Mar 18, 2014 14:05PM

HB1678

Submitted on: 3/16/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Matson	Individual	Oppose	No

Comments: I strongly oppose HB 1678, HD1, which opens the door to potential wholesale damage and/or destruction of unique historic residential assets. Historic integrity, significance and eligibility characterize many unique residential properties 50 years and older that have not yet been nominated for or registered on the State Register of Historic Places by their owners. Renowned Hawai'i architect Vladimir Ossipoff's creations are among these examples. Please HOLD this measure.

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Hawaii's Thousand Friends

25 Maheine Ave. Suite 102, PMB 282 • Kalaheo, HI 96734 • Phone/Fax (809) 262-0682 E-mail htf@java.net

March 18, 2014

COMMITTEE ON TECHNOLOGY AND THE ARTS

Senator Glenn Wakai, Chair
Senator Clarence Nishihara, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Malama Solomon, Chair
Senator Brickwood Galuteria, Vice Chair

HB 1678 HD1 RELATING TO HISTORIC PRESERVATION

Committee Chairs and members:

Hawaii's Thousand Friends (HTF), a statewide non-profit organization dedicated to reasonable and responsible growth that protects land, water, cultural resources and human health, opposes HB 1678 HD1 that changes the definition of an historic property.

While the proposed amendment may seem harmless in reality the change could be quite devastating by giving a homeowner, whose residence may have genuine historic value, the option to opt-out and not nominate their home to the Hawai'i Register of Historic places.

Two examples:

- 1) The former navy officer housing at Kalaeloa now owned by Hunt Corporation has not been evaluated for their historical significance nor nominated to the State Register of Historic Places but instead the housing has been allowed to deteriorate. The only thing keeping these residences from being demolished is their 50- year old status. Pass this amendment and they are gone.
- 2) In Maunawili Valley, on Oahu, the home where Queen Liliuokalani rested on her trips around the island and where she was inspired to write Aloha `Oe still exists. While in major disrepair the home is still there but the landowner has never nominated it for listing on the State Register of Historic Places. Will passage of this bill give the landowner the ammunition needed to demolish this historic residence?

If HB 1678 HD1 is passed the number of truly historic residential properties that could be lost because a landowner, knowingly or unknowingly, did not nominate the property is unknown. Is it worth the gamble?



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1259 A'ala Street, Suite 300
Honolulu, HI 96817

March 18, 2014

The Honorable Glenn Wakai, Chair

Senate Committee on Technology and the Arts

The Honorable Malama Solomon, Chair

Senate Committee on Water and Land

State Capitol, Room 414

Honolulu, Hawaii 96813

RE: H.B. 1678, H.D.1, Relating to Historic Preservation

HEARING: Tuesday, March 18, 2014, at 2:05 p.m.

Aloha Chair Wakai, Chair Solomon, and Members of the Joint Committees:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 8,300 members. HAR **strongly supports** H.B. 1678, H.D.1, which exempts private residences not on or nominated by the owner to the Hawaii Register of Historic places from designation as historic property and related review by the Department of Land and Natural Resources in connection with project permit or land use applications.

Nearly half of Hawaii's homes are approaching or already 50 years old or older. The current rule of 50 years to determine a property is historic is overly broad in that it applies regardless of whether the property qualifies as historically significant. Also, it does not take into account the scope of the project or type of permit sought. Even a minor bathroom renovation would be affected.

HAR believes that this measure addresses the true intent of preserving bona-fide historic properties, by excepting from the definition of historic property any residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

The burden for homeowners, for even minor projects, will be alleviated by clarifying that a review is not required for a private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawai'i register of historic places.

Mahalo for the opportunity to testify in strong support of this measure.

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Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 17, 2014 10:42 AM
To: TECTestimony
Cc: annietbi@hotmail.com
Subject: Submitted testimony for HB1678 on Mar 18, 2014 14:05PM

HB1678

Submitted on: 3/17/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Gommers	Individual	Comments Only	No

Comments: Dear Committee Members; First of all thank you for your service to the State. As a resident and taxpayer in Hawaii I am interested in protecting the historic character and feel of neighborhoods and residential districts across our State. PLEASE do NOT change the definition of "historic property" to exclude all residential property in the future as proposed by HB1678. To do so, would say to the public that the homes in our neighborhoods are not important...and would prevent future generations from witnessing and experiencing these vital dwellings of our State's unique history. To eliminate Residential properties from future registrations as "Historic Properties" is to ignore the importance of how people have lived "at home" (and where people spend most of their lives). It is simply short-sighted to deny an 'historic property' designation to this critical aspect of our heritage...the homes in which people have lived. Residences should be preserved EQUALLY with any other building or site in the State. Please do not confuse the need to adjust and simplify the historic designation and permitting process with the need to preserve the history of life in Hawaii over the ages. They are two separate issues!!! Do not throw out the baby with the bathwater. Thank you for your consideration. Sincerely, Ann Gommers Farrington Highway Waialua, HI 96791

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HISTORIC HAWAII FOUNDATION



TO: Senator Glenn Wakai, Chair
Senator Clarence K. Nishihara, Vice Chair
Committee on Technology and the Arts

Senator Malama Solomon, Chair
Senator Brickwood Galuteria, Vice Chair
Committee on Water and Land

FROM: Kiersten Faulkner, Executive Director
Historic Hawaii Foundation

Committee: Tuesday, Marcy 18, 2014
2:05 p.m.
Conference Room 414

RE: HB 1678 HD1, Relating to Historic Preservation

On behalf of Historic Hawaii Foundation (HHF), I am writing in **strong opposition to HB 1678 HD1**. The bill would amend Hawaii Revised Statutes §6E to revise the definition of historic property to exclude private residences not on or nominated by the owner to the Hawaii Register of Historic places from designation as historic property and related review by the Department of Land and Natural Resources in connection with project permit or land use applications.

The historic and cultural resources of Hawai'i are a great legacy and irreplaceable treasures. No less than other types of historic properties, the homes and neighborhoods of Hawai'i depict the architectural, social and economic history of the Islands. The natural beauty of Hawai'i is complemented by its neighborhoods, small towns, vernacular architecture, blend of indoor and outdoor design features, and other characteristics of the distinctive built environment of these islands. The houses of Hawai'i are a reflection of its physical setting and social history.

By summarily dismissing all residential property from even considering and evaluating potential historic significance, HB 1678 HD1 would inevitably lead to the destruction or damage to significant historic properties, and would be to the overall detriment of Hawai'i's cultural heritage.

BACKGROUND

The constitution of the State of Hawai'i recognizes the value of conserving and developing the historic and cultural property within the State for the public good, and the Legislature has declared that it is in the public interest to engage in a comprehensive program of historic preservation at all levels of government to promote the use and conservation of such property for the education, inspiration, pleasure and enrichment of its citizens.

In order to meet this mandate and to ensure that the historic and cultural resources of Hawai'i are treated appropriately, it is necessary to have a framework based on criteria and standards to define and differentiate which properties are subject to the state's historic preservation program.

Currently, HRS §6E-2 defines historic properties as any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old.

This definition has the advantage of being simple to understand and simple to evaluate, as it relies on a single piece of data: age of construction.

However, that definition is also unnecessarily broad, and assumes that age is equivalent to historic importance. Within the discipline and practice of historic preservation, there are two additional criteria used to screen properties: historic **significance** and **integrity**.

Historic Hawai'i Foundation recommends that additional standards and clarity to the definition of historic property could be achieved by amending HRS §6E-2 to read:

“Historic property” means any building, structure, object, district, area or site, including heiau and underwater site, which is over 50 years old and that meets the criteria for being entered into the state register of historic places. [new language is underscored].

However, current version of the bill is being used as a vehicle to disavow the historic significance of all of Hawai'i's houses, neighborhoods, communities and habitations. This is a disturbing and dangerous approach to a perceived issue that has been overblown, and to which there are better solutions than a blanket redefinition of historic property.

HISTORIC PRESERVATION FRAMEWORK

Proponents of the bill to change the definition of historic property have alleged that that the historic preservation review process has delayed the granting of permits by “many months” and “has had a negative impact on the construction industry.”

Their ill-advised proposal would attempt to address this perceived issue not by addressing the actual concern, but rather by pretending that houses cannot be historically significant, and therefore would not be worthy of preservation efforts.

The problem appears to be overstated. The department's analysis of its response times indicates that in 2013, the State Historic Preservation Division review took 17 days on average, and the most common length for a review was five calendar days. This is a reasonable turnaround time for any government action, and well within the regulatory parameters.

The construction industry also alleges that historic preservation is a detriment to the industry. This is an extremely shortsighted and ill-informed assessment of the overall effect. National studies of the economic benefits of historic preservation have found¹:

¹ References:

Lahr, Michael L., David Listoken, et al. *Economic Impacts for Historic Preservation in Nebraska*. New Brunswick, New Jersey: Center for Urban Policy Research, Rutgers, The State University of New Jersey, October 2007.
Mandala Research, LLC. “The Cultural and Heritage Travelers Study.” 2009

680 Iwilei Road Suite 690 • Honolulu, HI 96817 • Tel: 808-523-2900 • FAX: 808-523-0800 • www.historichawaii.org
Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability and economic viability of the state.

- **Rehabilitation projects create jobs:** in a typical rehabilitation project, 60%-70% of the total cost is labor. Laborers are almost always hired locally, which supports the local economy, and is a direct and quantifiable benefit for the trades and construction industry.
- **Rehabilitation costs are roughly the same as building new:** if no demolition is required, a major rehabilitation will cost between 12% less and 9% more than new construction. If demolition is included in the new construction costs, rehabilitation costs less by 3%-6%.
- **Historic destinations attract visitors:** cultural heritage travelers on average spend more (\$994 per trip vs. \$611) and travel more often (average 5 trips compared with slightly less than 4). This type of tourism both protects the culture and identity of a place, while also providing economic benefits for the host community.

RECOMMENDATIONS

Previous testimony on this subject matter raised concerns with the volume of aging properties and how the historic preservation review process will be managed. There has also been discussion of the workload on the state and county agencies in processing the review and compliance actions.

As we are mindful of these concerns, Historic Hawai'i Foundation also notes that the overriding public policy should be to evaluate proposed changes to the law not only for efficiency in pushing paper, but also in effectiveness in protecting historic properties.

From August to October 2013, HHF participated in a working group convened by the City & County of Honolulu Department of Planning and Permitting (DPP) to review and recommend improvements to the historic preservation review process. DPP established the task force to review the current practices and recommend ways in which they could be improved. The task force included subcommittees on both architectural and archaeological resources. Members included SHPD, Historic Hawai'i Foundation, Land Use Research Foundation, Building Industry Association, American Institute of Architects Honolulu, American Planning Association Hawai'i, O'ahu Island Burial Council, Association of Hawaiian Civic Clubs, and preservation architecture firms.

The committee recommended improvements to the interface between the State and County systems and also substantive improvements for both response to individual cases and affirmative steps to address preservation issues more holistically.

Key recommendations formed by the committee included:

1. Track all permits by site identification (such as Tax Map Key Number) and not just permit type. Once SHPD has determined whether or not a particular property is or is not eligible for the historic register, future permits may be routed accordingly. Currently, DPP sends successive permit applications to SHPD for comment even after the State has determined that the property is not historic and has asked for no further review.

Rypkema, Donovan D. *The Economics of Historic Preservation: A Community Leader's Guide*. Washington DC: National Trust for Historic Preservation, 1994.

----. 2005 "Economic Sustainability and Historic Preservation." Speech presented at the National Preservation Conference, Portland, Oregon, October 1, 2005.

Wichman, Wendy. *The Economic Benefits of State Historic Preservation Investment Tax Credits*. Honolulu, Hawai'i: Historic Hawai'i Foundation, 2008.

680 Iwilei Road Suite 690 • Honolulu, HI 96817 • Tel: 808-523-2900 • FAX: 808-523-0800 • www.historichawaii.org

Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability and economic viability of the state.

2. Determine a list of categorical exclusions that do not adversely affect historic properties and so do not require SHPD review. This list already includes such items as tenant finishes in commercial buildings, internal electrical rewiring, driveways and fences, and electric meters. The task force recommended expanding the list to any permitting action that would not have an adverse effect.
3. Determine best preservation practices for common rehabilitation or repairs and provide a checklist that would apply to those items. If the applicant meets the basic standards, no further review would be needed. This would apply primarily to exterior alterations that have the potential to affect the character of the historic property, such as solar panels, additions or enclosures, or changes to doors and windows.
4. Use Inventory and Survey projects to identify in advance those historic properties and districts that are most significant and should have special protections or treatment. This type of inventory and historic district designation has been neglected for several decades, so the official list of historic properties underrepresents certain property types. The group recommended a long-term project to conduct historic inventories, context studies and historic district designations to remedy the shortage.

Historic Hawai'i Foundation supports these effective methods to preserve historic properties and provide for efficient government services without undue burden on property owners and other constituents. We strongly recommend that these administrative remedies be implemented and tested to see if they strike the proper balance.

CONCLUSION

Since 1974, Historic Hawai'i Foundation has been a statewide leader for historic preservation. HHF's 850 members and numerous additional supporters work to preserve Hawai'i's unique architectural and cultural heritage and believe that historic preservation is an important element in the present and future quality of life, economic viability and environmental sustainability of the state.

Therefore, Historic Hawai'i Foundation opposes HB1678 HD1 and respectfully asks the committee to hold the bill. Thank you for the opportunity to comment.

Gordon Fernandez

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 17, 2014 1:00 PM
To: TECTestimony
Cc: suzanne@punapono.com
Subject: *Submitted testimony for HB1678 on Mar 18, 2014 14:05PM*

HB1678

Submitted on: 3/17/2014

Testimony for TEC/WTL on Mar 18, 2014 14:05PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Wakelin	Individual	Oppose	No

Comments:

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Testimony of Cindy McMillan
The Pacific Resource Partnership

COMMITTEE ON TECHNOLOGY AND THE ARTS

Senator Glenn Wakai, Chair
Senator Clarence K. Nishihara, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Malama Solomon, Chair
Senator Brickwood Galuteria, Vice Chair

HB 1678, HD1 – RELATING TO HISTORIC PRESERVATION

Tuesday, March 18, 2014

2:05 PM

Conference Room 414

Aloha Chairs Wakai and Solomon, Vice Chairs Nishihara and Galuteria and members of the Committees:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP **supports** HB 1678, HD1, which would exempt private residences not on or nominated by the owner to the Hawaii Register of Historic places from designation as historic property and related review by the Department of Land and Natural Resources in connection with project permit or land use applications.

SHPD's interpretation of the law has caused many renovation and remodeling type building permits on tract houses older than 50 years old to be routed to SHPD for compliance with Chapter 6E HRS. This includes hundreds, if not thousands of homes including entire subdivisions that were constructed in the 1950's and 1960's. Each year more and more tract-type subdivision homes cross the 50-year threshold. As these buildings age, repairs and renovation are necessary to meet the needs of today's inhabitants. However, under SHPD's existing interpretation, any change to the property, even the installation of solar rooftop panels, must be approved by the department.

The volume of permits being submitted has created a backlog at SHPD, and it is taking longer for permits to be reviewed and permits processed. Furthermore, while SHPD is conducting its review, the

City and County of Honolulu is unable to complete the building permit process, effectively creating backlogs at two agencies for the same permit.

This bill clarifies that an old home is not necessarily a historic property. To meet the definition of historic property, private residences would have to be entered or nominated by the owner of the residence for entry onto the Hawaii register of historic places. The bill focuses only on vertical residential structures and does not apply to any subsurface work.

PRP believes that the proposed language is a reasonable way to allow for the bulk of much-needed work on aging tract housing to move forward without unnecessary delays, and it will allow SHPD to focus on residences that are worthy of being placed on the Hawaii Register of Historic Places.

Thank you for the opportunity to express our views and we kindly ask for your favorable consideration on HB 1678, HD1.

TO: Senator Glenn Wakai, Chair
Senate Committee on Technology and the Arts

Senator Malama Solomon, Chair
Senate Committee on Water and Land

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

HEARING: Tuesday, March 18, 2014 2:05 PM, Room 225

SUBJECT: Testimony in STRONG OPPOSITION to HB 1678, HD1, Relating to Historic Property

I am Dr. Sara Collins, Chair of the Legislative Committee of the Society for Hawaiian Archaeology (SHA). We have over 150 members that include professional archaeologists and advocates of historic preservation in general. HB 1678, HD1 proposes to amend Chapter 6E-2, Hawaii Revised Statutes (HRS) pertaining to Historic Preservation by amending the current definition of "historic property" to exclude all private residences unless the property is listed on or the owner has nominated for listing on the Hawaii Register of Historic Places (Register). HB 1678, SD1 will also amend Chapter 6E-42, HRS as follows:

(a) Before any agency or officer of the State or its political subdivisions approves any project involving a permit, license, certificate, land use change, subdivision, or other entitlement for use, which may affect historic property, aviation artifacts, or a burial site, the agency or office shall advise the department and prior to any approval allow the department an opportunity for review and comment on the effect of the proposed project on historic properties, aviation artifacts, or burial sites, consistent with section 6E-43, including those listed in the Hawaii register of historic places[-]; provided that nothing in this chapter shall be construed to require a review by the department for a project on residential property that has not been entered onto the Hawaii register of historic places or nominated for entry by the owner of the residential property. For the purposes of this subsection, "residential property" means real property that is used or occupied as a place of residence for one or more persons.

We strongly oppose the proposed amendments because they would effectively remove most of State's historically significant private residences from any consideration under the historic preservation review process. Only a fraction of the significant historic residences in the State are listed in the Register because they have never been nominated for inclusion in the Register and most have never even been evaluated for their historic significance. Inclusion in the Register is largely voluntary and is primarily done at the owner's request. These amendments, in effect, make this project review process limited only to those owners who have agreed, by virtue their residences being on the Register, to participate in this County-level review process.

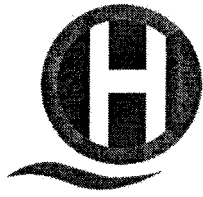
The following are several other problems we see with this amendment:

- We strongly believe that no one category of the historic property should be treated differently under the state's historic preservation law because it diminishes historic preservation efforts as a whole and adds unnecessary confusion to a long-standing and routine process which some already find too complex.
- Residential construction projects can often have an effect on non-architectural historic properties, such as human burials or buried cultural layers, which are adjacent to the structures or are potentially disturbed during project related excavation. Without a prior review by SHPD, the likelihood of residential projects being stopped or delayed by these inadvertent discoveries will increase.

- Requiring that only residences listed in the Register be considered under the historic preservation project review process reverses a decades-long trend of moving beyond constraints inherent in the Register nomination and listing process. This trend developed because such limitations result in there being no opportunity to encourage owners to preserve and maintain, in this case, their historic residences and the neighborhoods these residences play a critical role in defining. Even relatively minor steps can sometimes be taken to help residences maintain their historic character without going through the Register process. In any case, a very small percentage of these residences are ever proposed for Register listing.
- While we can understand the frustration experienced by the public if needed county or state permits are delayed, we also strongly believe that the issue of late and outstanding permit reviews is primarily an operational problem and should be addressed at this level before considering statutory changes. We believe a great deal could be done to increase the timeliness and effectiveness of residential property reviews if the Counties worked with SHPD to systematically review their respective procedures and practices; identify specific ways to improve and better coordinate reviews; and make better use of available technologies. A number of approaches to better manage these reviews are consistent with the current law and regulations.
- To date, none of the County planning or permitting agencies appears to have participated in the legislative discussion of these issues. Since these agencies are responsible for implementing Chapter 6E-42 by sending permit applications to SHPD for review, we believe that any legislative solution to the perceived problems should explicitly include these entities.

If the legislature wishes to address this issue in a proactive way, we suggest that it use this bill as a vehicle to call for coordination among all affected parties, possibly through establishment of a narrowly focused taskforce. Members of such a task force should include representatives of County planning agencies, historic preservation advocates such as Historic Hawaii Foundation and the Society for Hawaiian Archaeology, and representatives of the construction industry. If successful, this exercise would benefit all historic properties subject to review under HRS §6E-42 and not just those that are private residences. Otherwise, we respectfully ask that you HOLD HB 1678, House Draft 1 and not pass it any further.

Thank you for the opportunity to provide testimony. Should you have any questions, please feel free to contact me at the above email address.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the Senate Committee on Technology and the Arts and
Committee on Water and Land
Tuesday, March 18, 2014 at 2:05 P.M.
Conference Room 414, State Capitol**

RE: HOUSE BILL 1678 HD1 RELATING TO HISTORIC PRESERVATION

Chairs Wakai and Solomon, and Vice Chairs Nishihara and Galuteria, and Members of the Committees:

The Chamber of Commerce of Hawaii ("The Chamber") **supports** HB 1678 HD1, which exempts private residences not on or nominated by the owner to the Hawaii Register of Historic places from designation as historic property and related review by the Department of Land and Natural Resources in connection with project permit or land use applications.

The Chamber is the largest business organization in Hawaii, representing over 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

The volume of permits being submitted has created a backlog at SHPD in the time required to review and process the permits. Furthermore, while SHPD is conducting its review, many counties are unable to complete processing the building permit effectively, creating backlogs at two agencies for the same permit.

We believe that the language in this HD1 would allow for the bulk of work on residential structures to move forward without unnecessary delays, and allow SHPD to focus on residences that are worthy to be placed on the Hawaii Register of Historic Places.

Thank you for the opportunity to express our views on this matter.