

SB2672

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, Jr.
Chairman**

**Before the Senate Committee on
TECHNOLOGY AND THE ARTS
and
WATER AND LAND**

**Friday, February 06, 2014
1:15 PM
State Capitol, Conference Room 414**

**In consideration of
SENATE BILL 2672
RELATING TO RESIDENTIAL PROPERTY**

Senate Bill 2672 proposes to exempt from the definition of historic property any private residence that has not been entered into or nominated by the owner of the residence onto the Hawaii register of historic places. It further clarifies that nothing in Chapter 6E, Hawaii Revised Statutes (HRS), shall be construed to require review by the Department of Land and Natural Resources (Department) of a private residence fifty or more years old that has not been entered into or nominated by the owner of the residence for entry, onto the Hawaii Register of Historic Places (Hawaii Register). **The Department acknowledges the intent of this measure and recommends that it be held without action.**

Senate Bill 2672 addresses a real problem and a perceived problem, both of which the Department is committed to resolving. In 2013, the Department reviewed about 3,000 permit applications for residences fifty years old or older. There is a perception that the Department's reviews routinely take far longer than they should. During 2013 on average those reviews took seventeen days, and the most common length for a review was five calendar days. Perception does not match reality.

The vast majority of those reviews were from residences that the Department regards as historic properties only because they meet the overly broad statutory definition, which makes any building over fifty years old historic. Most of those residences for which permits were reviewed would not qualify for inclusion in the Hawaii Register. Even for homes that would qualify for inclusion in the Hawaii Register, many of the permits reviewed were for activities that would not affect the qualities of the home qualifying it for the Hawaii Register.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

- The Department recognizes that many of these reviews, even though completed in a very timely fashion, are simply unnecessary and burden the homeowner, the counties, and the Department.
- The Department believes that the categorical exemption approach proposed in this measure will result in the inadvertent damage and loss of important historic properties.
- The overwhelming majority of structures in Hawaii have never been inventoried and evaluated to determine whether or not they are eligible for inclusion in the Hawaii Register.
- Limiting review to only those properties already known to be eligible, guarantees that many of Hawaii's valuable heritage resources will be altered, damaged or destroyed.
- While most residential improvements have little or no likelihood of damaging archaeological properties, additions to residences do have such potential. A blanket exemption for residences not already included in or nominated for inclusion in the Hawaii Register will almost certainly result in damage to archeological sites and disturbance of iwi kupuna.
- The problem of unnecessary reviews of residential permit applications arises from the fact that the Section 6E-2, HRS. defines any building more than fifty years old as a historic property.
- Senate Bill 2633 amends Section 6E-2, HRS, to require that the property be at least 50 years old and possess qualities that qualify it for inclusion in the Hawaii Register. The Department believes that this requirement would resolve the problem of unnecessary reviews while at the same time protecting Hawai'i's unique cultural and historic heritage.



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 & Land

FROM: Kiersten Faulkner, Executive Director
Historic Hawaii Foundation

Committee: Thursday, February 6, 2014
1:15 p.m.
Conference Room 414

RE: SB 2672, Relating to Residential Property

On behalf of Historic Hawaii Foundation (HHF), I am writing in **strong opposition to SB 2672**. The bill would amend Hawai'i Revised Statutes §6E to exempt residential property from the historic preservation statutes and rules, except for those designated on the state register of historic places.

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.

The State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources (DLNR) is mandated by Hawai'i Revised Statutes §6E "to provide leadership in preserving, restoring, and maintaining historic and cultural property..." HRS §6E and its implementing rules and regulations are designed to provide a mechanism by which historic properties are identified, any effects from proposed projects are disclosed, and efforts may be made to avoid, minimize or mitigate those adverse effects.

Currently, HRS §6E-2, §6E-10 and §6E-42 require that prior to issuing any permit or land use approval for any project that affects a historic property, state and local jurisdictions shall refer the matter to the SHPD for review and comment. The referral applies to any property over 50 years old; SHPD's review then establishes whether the property has historic significance and integrity that would make it eligible for the state register of historic places. It is at this point SHPD generates the required comment response to the permitting agencies. If the property is deemed ineligible for the historic register, or if the project has no adverse effects, the process is complete; if the proposed project will lessen the historic integrity of the historic property, SHPD will request measures to avoid, minimize or mitigate the effect.

The proposed bill indicates concern that this process may delay granting of permits or have a negative effect on the construction industry. 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.
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.

The City and State could implement these recommendations via a Programmatic Agreement (PA) or Intergovernmental Agreement (IGA) under existing state law, without further changes to either to Hawai'i Revised Statutes or Hawai'i Administrative Rules.

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.

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 Hawaii'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 SB 2672 and respectfully asks the committee to hold the bill. Thank you for the opportunity to comment.



Testimony of Cindy McMillan
The Pacific Resource Partnership

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

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

SB 2672 - RELATING TO RESIDENTIAL PROPERTIES
Thursday, February 6, 2014
1:15 p.m.
Conference Room 414

Chairs Wakai and Solomon, and 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 SB 2672, Relating to Residential Properties, which excepts from the definition of historic property any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. This measure clarifies that nothing in chapter 6E, Hawaii Revised Statutes, shall be construed to require a review by the Department of Land and Natural Resources (DLNR) for a private residence fifty or more years old that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

The State Historic Preservation Division's (SHPD) current application of the law has caused many renovation and remodeling type building permits on track-type houses older than 50 years to be routed to SHPD for compliance with Chapter 6E HRS. These include homes and entire subdivisions that were constructed in the 1950's and 1960's. Each year more and more subdivision homes become eligible simply because they are 50 years old or older.

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

The proposed bill would simply remove from the definition of historic property any private residences that have not been 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.

We believe that the proposed language 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.

Therefore, PRP SB 2672. Thank you for allowing us to voice our opinion and we respectfully request your support.



**Testimony to the Senate Committee on Technology and the Arts and Committee on Water
and Land
Thursday, February 6, 2014 at 1:15 p.m.
State Capitol - Conference Room 414**

RE: SENATE BILL NO. 2672 RELATING TO RESIDENTIAL PROPERTIES

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

The Chamber **supports** S.B. 2672 which would remove, from the definition of historic property, any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. It also clarifies that nothing in Chapter 6E, Hawaii Revised Statutes, shall be construed to require a review by the Department of Land and Natural Resources for a private residence fifty or more years old that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

The Chamber is the largest business organization in Hawaii, representing more than 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 its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

In recent years, ministerial approvals (i.e. County Building Permits) have been referred to the State Historic Preservation Division for review in accordance with Chapter 6E, Section 42 which states:

"§6E-42 Review of proposed projects. (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.

(b) The department shall inform the public of any project proposals submitted to it under this section which are not otherwise subject to the requirement of a public hearing or other public notification. "

SHPD's interpretation of the law has caused many renovation and remodeling type building permits on houses older than 50 years old to be routed to SHPD for compliance with Chapter 6E HRS. These include homes and entire subdivisions that were constructed in the 1950's and 1960's.

Each year more and more track type subdivisions homes become eligible simply because they are 50 years old or older.

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

The proposed bill would simply remove, from the definition of historic property, any private residences that have not been 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.

We believe that the proposed language 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.

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

THE VOICE OF THE CONSTRUCTION INDUSTRY

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Testimony to the Senate Committees on Technology and the Arts and Water and Land

Thursday, February 6, 2014

1:15 p.m.

State Capitol - Room 414

SUBJECT: S.B. 2672, RELATING TO RESIDENTIAL PROPERTY

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

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii), the Voice of the Construction Industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, and affiliated with the National Association of Home Builders.

BIA-Hawaii **strongly supports** S.B. 2672, which excepts from the definition of historic property any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. Clarifies that nothing in chapter 6E, Hawaii Revised Statutes, shall be construed to require a review by the Department of Land and Natural Resources for a private residence fifty or more years old that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

In recent years, ministerial approvals (i.e. County Building Permits) have been referred to the State Historic Preservation Division for review in accordance with Chapter 6E, Section 42, which states:

“§6E-42 Review of proposed projects. (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; (b) The department shall inform the public of any project proposals submitted to it under this section which are not otherwise subject to the requirement of a public hearing or other public notification. “

BIA-Hawaii believes this current interpretation of 6E, HRS is outside the spirit and intent of the Historical Preservation Program. Ch. 6E-1, Declaration of Intent, states in part:

“The legislature further declares that it shall be the public policy of this State to provide leadership in preserving, restoring, and maintaining historic and cultural property, to ensure the administration of such historic and cultural property in a spirit of stewardship and trusteeship for future generations, and to conduct activities, plans, and programs

in a manner consistent with the preservation and enhancement of historic and cultural property.”

SHPD’s most recent interpretation of the law has caused many renovation, remodeling, and PV building permits on homes older than 50 years old to be routed to SHPD for compliance with Chapter 6E, HRS. These include homes and entire subdivisions that were constructed in the 1950’s and 1960’s (ex. Hawaii Kai, Pearl City, Aiea). Each year, more and more track-type subdivision homes become eligible simply because they are 50-years old or older.

This problem has tremendously impacted contractors and homeowners. There has been an attempt at the City level to correct this issue via a resolution that would also have exempted certain single-family residences from SHPD review. BIA-Hawaii has been working on correcting this interpretation for at least the past 7 years. In 2013, we met with DLNR and SHPD to explain the situation and try to come up with a solution. Most recently, the City’s Department of Permitting and Planning (DPP) created a Historical Site Task Force, which included stakeholders such as SHPD, BIA, AIA, Historic Hawaii Foundation, a previous SHPD Administrator, and members of the Legislature. Unfortunately, nothing was resolved.

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

The proposed bill would simply remove, from the definition of historic property, any private residences that have not been 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. This can, and should be, done while preserving the true intent of 6E, HRS, and historic preservation of our important historical and cultural resources.

S.B. 2672 is in the best interest of the State, will allow for the bulk of work on residential structures to move forward without unnecessary delays, improve employment and government revenue, restore a degree of common sense that has been lost in the current process, and allow SHPD to focus their resources on pursuing residences that are truly worthy of being placed on the Hawaii Register of Historic Places.

Thank you for the opportunity to express our **strong support** for S.B. 2672.

February 6, 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: S.B. 2672, Relating to Residential Property

HEARING: Thursday, February 6, 2014, at 1:15 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** S.B. 2672 that excepts from the definition of historic property any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. Clarifies that nothing in chapter 6E, Hawaii Revised Statutes, shall be construed to require a review by the Department of Land and Natural Resources for a private residence fifty or more years old that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places.

Under Hawaii Revised Statutes (“HRS”), §6E-2, it defines historic property as, “any building, structure, object, area or site, including heiau and underwater site, which is over fifty years old.”

Additionally, under HRS §6E-42, it states that prior to approval of any project involving a permit, license, certificate, land use change, subdivision, or other entitlement for use, which may affect historic property, the State Historic Preservation Division (SHPD) is to be advised.

Prior to any approval, SHPD must be allowed an opportunity for review and comment on the effect of the proposed project on the historic property. Also, SHPD must inform the public of any project proposals submitted to it that are not otherwise subject to the requirement of a public hearing or other public notification.

Nearly half of Hawaii's homes are approaching or already 50 years old or older. The current rule of 50 years is broad and covers all properties that are 50 year olds, regardless of whether the property qualifies as historically significant. Also, it does not factor the scope of the project or type of permit sought, such as for a minor bathroom renovation.

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.

Furthermore, 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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Phone: 808-833-1681 FAX: 839-4167
Email: info@gcawhawaii.org
Website: www.gcawhawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

February 6, 2014

TO: HONORABLE GLENN WAKAI, CHAIR, HONORABLE CLARENCE NISHIHARA,
VICE CHAIR AND MEMBERS OF THE SENATE COMMITTEE ON
TECHNOLOGY AND ARTS

HONORABLE MALAMA SOLOMON, CHAIR, HONORABLE BRICKWOOD
GALUTERIA, VICE CHAIR AND MEMBERS OF THE SENATE COMMITTEE OF
WATER AND LAND

SUBJECT: **SUPPORT OF S.B. 2672. RELATING TO RESIDENTIAL PROPERTY.** Excepts
from the definition of historic property any private residence that has not been
entered, or nominated by the owner of the residence for entry, onto the Hawaii
register of historic places. Clarifies that nothing in chapter 6E, Hawaii Revised
Statutes, shall be construed to require a review by the Department of Land and
Natural Resources for a private residence fifty or more years old that has not been
entered, or nominated by the owner of the residence for entry, onto the Hawaii
register of historic places.

HEARING

DATE: Thursday, February 6, 2014

TIME: 1:15 p.m.

PLACE: Conference Room 414

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

The General Contractors Association of Hawaii (GCA) is an organization comprised of over six
hundred general contractors, subcontractors, and construction related firms. The GCA was
established in 1932 and is the largest construction association in the State of Hawaii. The GCA's
mission is to represent its members in all matters related to the construction industry, while
improving the quality of construction and protecting the public interest.

The GCA is **in support** of S.B. 2672, which would amend the definition of historic property by
excluding any private residence not entered or nominated by the owner for entry into the Hawaii
register of historic places. This measure would also eliminate the assumption that all homes over
fifty years old are subject to 6E, HRS Review.

Under current practice, county ministerial approvals (i.e. building permits) for homes over fifty
years old are being routed to the State Historic Preservation Division for review, comment and
public hearing prior to any approvals. This is causing major delays for repair, remodel and
maintenance projects of older residential homes. This bill will alleviate homeowners' frustration
over the current practice.

GCA supports S.B. 2672 and respectfully requests that your Committee pass this measure.

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: Thursday, February 6, 2014 1:15 PM, Room 414

SUBJECT: Testimony in Opposition to SB 2672, Relating to Residential 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. SB 2672 proposes to amend Chapter 6E, Hawaii Revised Statutes (HRS) pertaining to Historic Preservation by excluding from the definition of historic property any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. Chapter 6E-10, HRS is also to be amended by stipulating that nothing in §6E-10 shall be construed to require a review by the department for a project on a private residence that has not been entered, or nominated by the own of the residence for entry, onto the Hawaii register of historic places. In addition, several non-substantive amendments of existing wording are proposed.

We oppose the proposed redefinition of historic property and the amendment that eliminates any historic preservation review of projects proposed for private residences that are not listed or nominated for listing on the Hawaii Register of Historic Places (HRHP) for the following reasons:

- 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.
- Requiring that only residences listed in the HRHP be considered under the historic preservation project review process reverses a decades-long trend of moving beyond constraints inherent in the HRHP nomination and listing process. This trend recognized that this limitation results 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 and a very small percentage of these residences are ever proposed for listing.
- 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.

We understand the frustration experienced by the public if needed county or state permits are delayed and that this bill is an effort to address concerns expressed by the construction industry and affected homeowners. We believe these issues are primarily operational and are better addressed at the operational, not legislative, level. It is our understanding that SHPD and the relevant county agencies have been working actively on ways to expedite the historic preservation review process and to make this process more effective for all parties. We believe this is the appropriate approach to addressing these concerns at this time.

Consequently, we respectfully ask that you HOLD SB 2672 and not pass it any further.

Thank you for the opportunity to provide testimony on SB 2672. Should you have any questions, please feel free to contact me at the above email address.

I support the passage of SB 2672 and recommend it be enacted in its entirety.

Chad Kaiwikuamoo, PE | Senior Engineer | chad.kaiwikuamoo@arcadis-us.com

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SB2672

Submitted on: 1/29/2014

Testimony for TEC/WTL on Feb 6, 2014 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony B. Borge	RMA Sales	Comments Only	No

Comments: Chairs Wakai and Solomon, and Vice Chairs Nishihara and Galuteria, and members of the committees: We are in support of S.B. 2672 which would remove, from the definition of historic property, any private residence that has not been entered, or nominated by the owner of the residence for entry, onto the Hawaii register of historic places. The volume of permits being submitted has created a backlog at SHPD in the time required to review and process the permits. This bill focuses only on vertical residential structures and does not apply to any subsurface work. We believe that the proposed language 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. Respectfully submitted by Anthony Borge

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

I Support SB2672

The current review of building permits for work on homes that have absolutely no historical redeeming value is an absolute waste of everyone's time and is an even larger waste of taxpayers money collecting useless information and purporting to grant permission for something the State has no ability to stop anyway. Continuing this silly review process for these type of homes is nothing more than a bureaucratic money grab by SHPD to try to swell it's department ranks by clearly misreading current statute. Please put a stop to this nonsense today.

As a contractor who typically has 10 -20 building permits in the system at any given time, this rule costs me a great deal of money and I urge you to pass this bill now without delay.

--

Tadd Rienstra
TJR WORKS! LLC
Permit Check LLC