

Honolulu, Hawaii

FEB 10 , 2022

RE: H.B. No. 2167
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2167 entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION
REVIEWS,"

begs leave to report as follows:

The purpose of this measure is to improve the protection of Hawaii's historic properties by ensuring that more decisions are made at the local level and by promoting more timely reviews by assigning to the respective counties the responsibility for certain historic preservation project reviews under section 6E-42, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Maui County Council, and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. Your Committee received comments on this measure from the departments of planning of the City and County of Honolulu, County of Hawaii, County of Maui, and County of Kauai and the Historic Hawai'i Foundation.

Your Committee finds that Hawaii is the only state in the Union that reserves to the state government the authority to review county permits for their potential effects on historic



properties. In all other states, these reviews are performed by local governments. Your Committee believes that the processes implemented by the respective counties should be uniform and consistent and that this measure provides the basis to ensure consistency. Your Committee further finds that the delegation of powers proposed by this measure is highly appropriate.

Your Committee has amended this measure by:

- (1) Providing that the Department of Land and Natural Resources shall also retain authority to review projects occurring within or affecting a designated historic district;
- (2) Deleting the amount of the appropriation;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

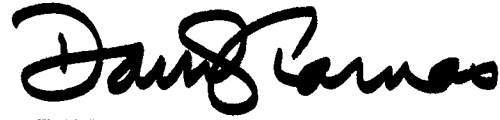
Your Committee respectfully urges that should your Committees on Consumer Protection & Commerce and Finance choose to hear this measure, they consider appropriating \$750,000 for the Department of Land and Natural Resources to allocate to the counties to assist them financially in carrying out this measure.

Your Committee also urges the Department of Land and Natural Resources and counties to work together to develop a path forward that is satisfactory to all stakeholders.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2167, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



DAVID A. TARNAS, Chair



