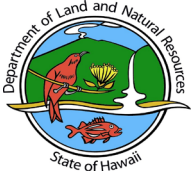


DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
WATER & LAND**

**Thursday, March 17, 2022
8:30 AM**

State Capitol, Conference Room 430, Via Videoconference

**In consideration of
SENATE BILL 2757, SENATE DRAFT 1
RELATING TO HISTORIC PRESERVATION**

Senate Bill 2757, Senate Draft 1 proposes to appropriate funds to initiate the development of a comprehensive statewide inventory of historic properties and burial sites. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

Senate Bill 2757, Senate Draft 1 proposes to appropriate an unspecified amount to the Department to undertake the surveys necessary to develop a comprehensive statewide inventory of historic properties and burial sites.

As far as the Department is aware, development of a comprehensive inventory has never been funded. The Department believes that the implementation of a comprehensive survey is essential to meeting the goals set in the establishment of the Department's State Historic Preservation Division (SHPD) in Section 6E-3, Hawaii Revised Statutes (HRS). SHPD does maintain an inventory, but it relies almost entirely on the supporting data provided by agencies and project sponsors submitted as part of the project review processes established by Sections 6E-8, 6E-10, 6E-42, HRS, and under federal law. As a result, SHPD's inventory has limited geographic coverage and, even in 'high' development areas, is incomplete. In the absence of better inventory data, it is impossible for SHPD to assess the condition of Hawaii's historic resources. A comprehensive inventory would provide information essential to managing and protecting the State's heritage resources.

In addition, a comprehensive inventory would greatly facilitate project development and permit review by allowing project planners, designers, and consultants to take the presence of historic properties and burial sites into account in siting their projects and in design from the earliest

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

stages of project planning rather than after major planning and design decisions have been as often happens now. It would facilitate permit review as information on historic properties and burials would be available to permitting agencies allowing them to make better decisions about what projects needed to be submitted to SHPD for review. The inventory would also assist SHPD in making better decisions on those projects it does receive for review and expedite the review process as SHPD will have more of the essential data for its review already at hand.

The Department also notes that while Senate Bill 2757, Senate Draft 1 proposes to appropriate an unspecified level of funding, creating a comprehensive inventory of historic properties for the entire state is a significant undertaking that will take a number of years to complete. The Department supported the \$2.1 million appropriation included in Senate Bill 2757 and advises the Committee that appropriation at that level will represent the first phase of the multi-year effort necessary to complete the statewide survey. SHPD anticipates that it will have to contract nearly all the work necessary to carry out the inventory effort. Consequently, the Department believes that funding at a higher level in an effort to shorten the length of time it would take to complete an inventory would not be effective as a higher level of funding would be very difficult for SHPD to administer given existing staffing and resources. Furthermore, it would also almost certainly exceed present the capacity of consulting firms in Hawaii to carry out the work.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
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EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON WATER & LAND
ON
SENATE BILL NO. 2757, S.D. 1

March 17, 2022
8:30 a.m.
Room 430 and Videoconference

RELATING TO HISTORIC PRESERVATION

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2757, S.D. 1, provides funds for the development of a comprehensive inventory of historic properties and burial sites in the State of Hawaii and appropriates an unspecified amount of general funds in FY 23 to be expended by the Department of Land and Natural Resources (DLNR) for this purpose.

B&F notes that DLNR has been allocated \$1,700,000 in Coronavirus State and Local Fiscal Recovery funds in FY 22 for archaeological surveys and predictive modeling of historically and culturally significant sites to facilitate project planning for affordable housing and critical infrastructure, and to expedite project reviews and approvals.

Additionally, B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

HISTORIC HAWAII FOUNDATION

TO: Representative David A. Tarnas, Chair
Representative Patrick Pihana Branco, Vice Chair
Committee on Water & Land (WAL)

FROM: Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation

Committee: Thursday, March 17, 2022
8:30 a.m.
Via Video Conference and Conference Room 430

RE: **SB 2757 SD1, Relating to Historic Preservation**

On behalf of Historic Hawai'i Foundation (HHF), I am writing **in support for SB 2757 SD1**. The bill appropriates an unspecified amount of funds to the Department of Land and Natural Resources for the Historic Preservation Division to conduct comprehensive inventories of historic properties and burial sites, including data collection on burial site locations, archaeological surface surveys and inventory of historic buildings, structures and other properties.

Historic property inventories and surveys are a crucial step in the historic preservation process. The context studies and inventories provide research, evaluation and examples of patterns, themes and trends in which a building, structure, site, object or district is understood. The contexts provide information on meaning and provide the necessary background to understand why a given resource may be historically significant. The inventories then provide information on specific properties and features that convey that significance and are important to the cultural heritage of the community and the public.

The State's current inventory and historic property surveys are ad hoc rather than deliberative or methodical. Additions to the State Inventory of Historic Properties are often the result of supporting data provided when another agency or applicant submits a project proposal to SHPD. The resulting inventory is therefore piecemeal and incomplete in terms of identification of the individual properties and features. It also lacks information that would allow for a more robust understanding of the historic context in which individual sites and properties may be understood.

A comprehensive inventory should also include thematic context studies that would identify and explain historic themes and patterns as well as describe the types of properties associated with that context. The inventories should include descriptions of the physical characteristics and the locations where the properties are found. Contexts are required components of nominations to the Hawai'i and National Registers of Historic Places. The contexts summarize the themes to which the resources relate, explain how

the properties illustrate that theme and compare the nominated resource to other resources associated with the theme.

On a pragmatic level, a thorough and credible inventory would facilitate appropriate project review by providing the necessary information about the presence of significant historic properties so that projects may be sited and designed in a way to avoid, minimize and mitigate effects on those properties.

Therefore, Historic Hawai'i Foundation supports the measure to provide resources for the development of comprehensive inventories of historic properties and burial sites.

Thank you for the opportunity to comment.