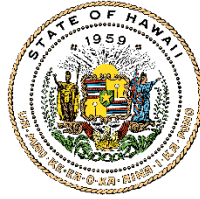


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
LAURA H.E. KAAKUA  
FIRST DEPUTY  
M. KALEO MANUEL  
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

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the House Committee on  
TRANSPORTATION

Tuesday, March 14, 2023  
10:00 AM

State Capitol, Conference Room 312, Via Videoconference

In consideration of  
SENATE BILL 1535, SENATE DRAFT 1  
RELATING TO TRANSPORTATION

Senate Bill 1535, Senate Draft 1 proposes to allow the Director of the Department of Transportation (HDOT) to exempt certain ground transportation facility projects from historic preservation review, the environmental impact statement law, and the Hawaii Public Procurement Code under certain conditions to improve pedestrian safety. **The Department of Land and Natural Resources (Department) appreciates the amendments to Senate Draft 1 of this measure which narrowed the scope of the exemptions, and therefore supports this measure.**

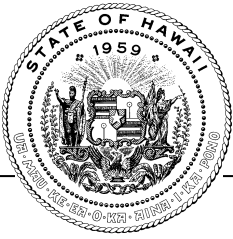
The Department's testimony is limited to the proposed exemption of certain projects from historic preservation review. The Department recognizes the need for development of projects to improve pedestrian safety. The Department believes that historic preservation review contributes only a very small portion of the 5 to 7 years that the Legislature finds it takes to the HDOT to implement and complete such projects. On average, the Department's State Historic Preservation Division (SHPD) review takes less than six months even for large, complex projects. For projects of the scope anticipated in Senate Bill 1535, Senate Draft 1, historic preservation review times are much shorter. Nearly 45% of all SHPD reviews are completed within the 30- or 45-days deadlines set by rule.

SHPD works with HDOT and the counties to expedite the review of projects that affect health and safety. The Department notes that it is likely that many transportation projects subject to the provisions of Senate Bill 1535, Senate Draft 1 will be in historic town centers. The Department believes that the design and installation of pedestrian safety measures should avoid or minimize impacts to the historic character of such areas.

While HDOT would not intend to harm historic and cultural resources, its expertise is transportation, and it does not have the expertise in assessing impacts to historic districts that SHPD does. Without historic preservation review, there is a strong possibility that the projects will be designed and implemented with little or no consideration of their impact on historic resources. The Department also believes the SHPD's rules and the federal regulations governing historic preservation review provide mechanisms for expediting these projects while still ensuring that historic properties are considered in project design and implementation.

The Department appreciates that the Senate Committees on Water and Land, Transportation and Culture and the Arts, and Government Operations adopted the Department's recommendations when they crafted Senate Bill 1535, Senate Draft 1 ensuring that the exemption from Chapter 6E, Hawaii Revised Statutes, review will only apply within areas previously disturbed and only to the depth of the known soil disturbance not to exceed twenty-four inches below grade, and will not apply in historic districts and areas with a high probability for the presence of archaeological sites or burial sites.

Mahalo for the opportunity to provide testimony in support of this measure.



**STATE OF HAWAII  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
GOVERNOR

**SCOTT J. GLENN**  
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813  
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Statement of  
**SCOTT GLENN, Director**

before the  
**HOUSE COMMITTEE ON TRANSPORTATION**

Tuesday, March 14, 2023, 10:00 AM  
State Capitol, Conference Room 312

in consideration of  
**SB 1535 SD1**  
**RELATING TO TRANSPORTATION.**

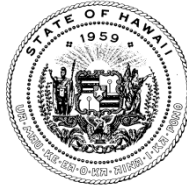
Chair Todd, Vice Chair Kila, and Members of the House Committee on Transportation:

The Office of Planning and Sustainable Development (OPSD) offers the following **comments** on SB 1535 SD1, which among other things would allow the director of transportation to exclude certain ground transportation facility projects from the provisions of the environmental impact statement law, Hawaii Revised Statutes (HRS) Chapter 343. OPSD acknowledges that SD1 limits the applicability of this bill to relatively minor infrastructure and related appurtenances.

HRS Chapter 343 authorizes agencies to exempt various projects from the requirement to prepare an environmental assessment. In these cases, the rules that administer HRS Chapter 343 require only minor administrative tasks of documenting and reporting such exemptions, so that the public can be aware of them. In general, the activities contemplated in this bill may qualify for this rule exemption and provide transparency to the public by reporting the fact that the project was exempted.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.  
GOVERNOR



TESTIMONY BY:

EDWIN H. SNIFFEN  
DIRECTOR

Deputy Directors  
DREANALEE K. KALILI  
TAMMY L. LEE  
ROBIN K. SHISHIDO  
JAMES KUNANE TOKIOKA

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097



March 14, 2023

10:00 A.M.

State Capitol, Conference Room 312 & Videoconference

**SB 1535 SD1  
RELATING TO TRANSPORTATION**

House Committee on Transportation

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The Department of Transportation (DOT) **supports** this bill which allows the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review and the environmental impact statement law, subject to certain conditions.

The proposed revisions will allow the DOT to more quickly address the needs of the public when State-funded infrastructure improvements are necessary to accommodate pedestrians, bicyclists and people on other mobility devices.

Thank you for the opportunity to provide testimony.

DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

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HONOLULU, HAWAII 96813  
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RICK BLANGIARDI  
MAYOR



J. ROGER MORTON  
DIRECTOR

JON Y. NOUCHI  
DEPUTY DIRECTOR

TESTIMONY OF J. ROGER MORTON  
DIRECTOR OF TRANSPORTATION SERVICES

BEFORE THE HOUSE COMMITTEE ON  
TRANSPORTATION

**Tuesday, March 14, 2023, 10:00 AM, Via Videoconference**

TO: Representative Chris Todd, Chair, Representative Darius K. Kila, Vice Chair, and Members of the Committee on Transportation

RE: TESTIMONY IN SUPPORT OF SENATE BILL 1535, SENATE DRAFT 1, RELATING TO TRANSPORTATION

The Department of Transportation Services (DTS) of the City and County of Honolulu (City) strongly supports Senate Bill 1535, Senate Draft 1 (SB 1535 SD1), relating to transportation.

SB 1535 SD1 proposes to allow the director of the State Department of Transportation (HDOT) to exempt certain State and City ground transportation facility projects from reviews under the historic preservation and environmental impact statement, under certain conditions.

The City strongly supports the measure as it will help to expedite projects that are for protective infrastructure and related appurtenances for pedestrians, bicyclists, and people on other mobility devices by adding to any existing hardened travel surface an area of hardened travel service, or providing for a new hardened travel service, of not more than twelve feet in width. The measure would support the collaborative undertakings between HDOT and the City in the planning, engineering, and implementation of safety measures to provide safe routes to schools for our keiki and safe neighborhoods for our kupuna. The measure would also help to expedite a 30-mile bicycle route between Nānākuli and Mānoa/Waikīkī that the City is working to develop in partnership with HDOT.

Thank you for the opportunity to submit testimony in support.



ADDRESS  
3442 Waiālae Ave., Suite 1  
Honolulu, HI 96816

PHONE  
808-735-5756

EMAIL  
bicycle@hbl.org

HOUSE COMMITTEE ON TRANSPORTATION  
Tuesday, March 14, 2023 –10:00am

**Hawai'i Bicycling League supports SB 1535 SD1, Relating to Transportation**

Aloha Chair Todd, Vice Chair Kila, and Committee Members,

My name is Travis Counsell, and I am the Executive Director of the Hawai'i Bicycling League (HBL). We are a non-profit organization founded in 1975 with the mission of enabling more people to ride bicycles for health, recreation, and transportation. We strive to create communities across our islands that have safe, accessible, and inclusive environments for people to bike, walk, and roll. This means creating infrastructure that is designed for all users with safety as a top priority.

**Hawai'i Bicycling League strongly supports SB 1535 SD1**, which allows the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review and the environmental impact statement law, subject to certain conditions.

HBL views this bill as a positive step towards expediting important safety improvements on our roadways. Too many people are injured or killed due to poor infrastructure design. We often hear that extensive and expensive reviews and analyses prevent improvements from occurring. Removing hurdles that delay or prevent much needed improvements will help to create safer streets for all users.

Hawai'i residents, especially our keiki and kūpuna, need safe, accessible places to walk, roll, and bike. This bill can help make this a reality by speeding up implementing these much-needed improvements.

Mahalo for the opportunity to provide testimony. We strongly urge you to pass this legislation to allow for less hurdles in the creation of safe spaces for vulnerable road users. Please support SB 1535 SD1.

Ride Aloha,

**Travis L. Counsell**  
Executive Director  
Hawai'i Bicycling League

**SB-1535-SD-1**

Submitted on: 3/12/2023 11:24:50 AM

Testimony for TRN on 3/14/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Caroline Azelski	Individual	Oppose	Written Testimony Only

Comments:

In opposition to SD1 due to including environmental impact statement. Thank you.

**SB-1535-SD-1**

Submitted on: 3/14/2023 8:12:29 AM

Testimony for TRN on 3/14/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christopher Tipton	Individual	Support	Written Testimony Only

Comments:

I urge the passing of SB1535. We need less red tape for small projects that improve the walkability and bikeability of our streets.



**SB-1535-SD-1**

Submitted on: 3/14/2023 8:38:52 AM

Testimony for TRN on 3/14/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Regina Peterson(Nani)	Individual	Oppose	Written Testimony Only

Comments:

In opposition. NO ONE should be exempt from preservation reviews and EIS requirements prior to any developing.

**SB-1535-SD-1**

Submitted on: 3/14/2023 11:56:04 PM

Testimony for TRN on 3/14/2023 10:00:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicholas Manago	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Nicholas Manago. My brother Zachary Manago was killed in a hit and run by a drunk driver while riding his bicycle with his friends. Please pass this bill and please increase the funding from \$100,000 to \$500,000. Safer streets are long over due in Hawaii.

Thank you,

Nick