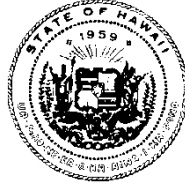


JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

Statement of
DEAN MINAKAMI
Hawaii Housing Finance and Development Corporation
Before the

HOUSE COMMITTEE ON HOUSING

March 19, 2025 at 9:00 a.m.
State Capitol, Room 430

In consideration of
S.B. 79 SD1
RELATING TO HISTORIC PRESERVATION REVIEWS.

Chair Evslin, Vice Chair Miyake, and members of the Committee.

HHFDC **supports with amendment** SB 79 SD1, which requires the Department of Land and Natural Resources to determine the effect of any certain proposed housing projects within ninety days of a request for determination. It establishes historical review requirements based on the project area's known historic, cultural, and archaeological resources, and establishes procedures and notification requirements if previously unidentified human remains or previously unidentified historic or cultural resources are discovered.

Lengthy and backlogged historic preservation reviews historically prevent the timely development of affordable housing and increase their costs. The goal of the bill is to streamline the historic review process while avoiding or minimizing any effect on significant historic properties. We are hopeful that this bill will accelerate the historic review process, especially for projects that likely will not have significant effects.

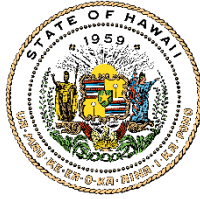
The SD1 version of the bill changed the protocol for "Moderately sensitive areas" (on page 2) to require an archaeological inventory survey (AIS). The time for preparation and approval of an AIS can be well over a year which marginalizes the effectiveness of this proposal. Under the protocol as first proposed, developers would already commit to perform archaeological monitoring during construction in moderately sensitive areas.

We therefore question the need for an AIS and request that the bill be **amended** by reverting to the bill's original language for "Moderately sensitive areas."

Thank you for the opportunity to testify on this bill.

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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 Committees on
HOUSING

Wednesday, March 19, 2025
9:00 AM

House Conference Room 430 & Videoconference

In consideration of
SENATE BILL 79, SENATE DRAFT 1
RELATING TO HISTORIC PRESERVATION REVIEWS

Senate Bill 79, Senate Draft 1 would amend Chapter 6E, Hawaii Revised Statutes (HRS) to require the Department of Land and Natural Resources to determine the effect of any proposed State housing project within ninety days of a request for determination and sets forth the historic review requirements based on the project area's known historic, cultural, and archaeological resources. **The Department of Land and Natural Resources (Department) supports this measure and offers recommended amendments.**

Chapter 6E, HRS, provides the framework for a comprehensive statewide historic preservation program in Hawai'i. A key part of that program is the review of projects as required by sections 6E-8, 6E-10, 6E-42, and 6E-43 HRS. These statutory provisions reflect the Legislature's intent to require project proponents to consider the impact of their projects on iwi kūpuna, as well as historic and cultural resources.

The Department recognizes the need to streamline the historic preservation review process in order to help address the current housing crisis in Hawai'i and support the State's efforts to provide affordable housing. This bill will allow affordable housing project to proceed in an expedited manner while establishing measures that will support the identification, documentation, and avoidance of iwi kūpuna, as well as historic and cultural resources during planning and construction of affordable housing projects. The amendments and additions to Chapter 6E, HRS and alternative approaches established within this bill are both reasonable and feasible.

Mahalo for the opportunity to provide testimony on this measure.



March 16, 2025

Representative Luke Evslin, Chair
Representative Tyson Miyake, Vice Chair
Committee on Housing

RE: **SB 79 SD1 - Relating to Historic Preservation Reviews**
Hearing date: March 19, 2025 at 9:00 AM

Aloha Chair Evslin, Vice Chair Miyake and members of the committee,

Mahalo for the opportunity to submit testimony on behalf of NAIOP Hawaii in **SUPPORT** on **SB 79 SD1**. NAIOP Hawaii is the local chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders and other professionals.

SB 79 SD1 is intended to promote more timely reviews of projects by requiring the Department of Land and Natural Resources to determine the effect of any proposed State affordable housing project within ninety days of a request for determination. Moreover, the measure sets forth the historic review requirements based on the project area's known historic, cultural, and archaeological resources.

Delays in the historic review process have been a persistent barrier to the timely development of housing in Hawaii, leading to increased project costs and prolonged housing shortages. SB 79 SD1 establishes clear and efficient guidelines for historic preservation reviews while maintaining protections for significant cultural and archaeological sites. By setting reasonable timelines and risk-based review criteria, this measure will provide much-needed certainty for developers and agencies working to deliver housing for local families.

NAIOP Hawaii appreciates the amendments made by the previous chairs and propose the following clarifying amendment consistent with the intent of the measure.

1. We recommend revising subsection (a) (Page 3) to read "The department shall provide written determination under subsection (a) within ninety days after the filing of a

Representative Luke Evslin, Chair
Representative Tyson Miyake, Vice Chair
Committee on Housing
March 16, 2025
Page 2

complete and accurate, **to the agency's or officer's actual knowledge at the time of filing**, project request with the department project request with the department.”
This amendment will remove any potential concern of restarting the 90-day request for determination if the filing was complete and accurate to the agency’s or officer’s knowledge.

This bill ensures that housing projects move forward without unnecessary bureaucratic delays while upholding Hawaii’s commitment to historic and cultural preservation. We urge the committee to pass SB 79 SD1 to support faster, more cost-effective housing development for our communities. Ultimately, the measure addresses a critical issue in the development of more affordable housing and critical infrastructure for Hawaii residents. NAIOP appreciates the Legislature’s commitment to collaborating on this issue and look forward to working together.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'Reyn Tanaka', with a long horizontal flourish extending to the right.

Reyn Tanaka, President
NAIOP Hawaii

SB-79-SD-1

Submitted on: 3/18/2025 10:53:24 AM

Testimony for HSG on 3/19/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Comments	Written Testimony Only

Comments:

Aloha, I am generally for SB79 SD1 but believe it should also contain provisions for environmental concerns and sustainability issues, and whether it is a mitigation or hazard for climate change due to sea level rise or rising temperatures. Mahalo.