

**BILL044(22)**  
**Testimony**

**MISC. COMM. 388**

HOUSING AND THE ECONOMY

## **HOUSING AND THE ECONOMY Meeting**

Meeting Date: Sep 20, 2022 @ 10:30 AM

Support: 72

Oppose: 0

I wish to comment: 2

Name: Ann Marie Kirk	Email: alohaannmarie@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 04:13 PM
Testimony: The protection of our sacred cultural sites is of utmost importance. The establishment of a WORKING Oahu Historic Preservation Commission is greatly needed. The Honolulu City Council must do what is right to protect our sacred sites.		
Name: Lo kaimuloa	Email: lokaimuloa@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 04:49 PM
Testimony: PLEASE SUPPORT!		
Name: Kaleo Paik	Email: kaleopaik@yahoo.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 05:05 PM
Testimony: I strongly support this Bill and look forward to seeing this Bill come to fruition.		
Name: Van James	Email: aka.vanjames@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 05:10 PM
Testimony: As a longtime resident of Honolulu I would like to express my strong support for Bill 44 to provide greatly needed oversight of O'ahu's sensitive cultural and historic sites as tourism and development increase in the islands. Mahalo, (E)van James, author of Ancient Sites of O'ahu (Bishop Museum Press), Ancient Sites of Hawai'i (Mutual Publishing), Ancient Sites of Maui, Moloka'i and Lana'i (MP), and Ancient Sites of Kaua'i (MP).		
Name: Y Kau-Shibata	Email: ww_8088@yahoo.com	Zip: 96746
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 05:14 PM
Testimony: I support Bill 44, relating to historical preservation.  For years the Hawaiian culture and lands has been abused and taken advantage of for monetary greed, development, and commercialization.  Hawaiians Lands have been taken advantage of and openly developed and commercialized for economic development with disregard to historical and archaeological preservation of the host culture of Hawaii.  If we look at everything in a 360 approach and see how everything is related - one way or the other - history has a way of repeating itself if we are not openly sensitive to the issues of historical preservation and respect.  Our employees have been monetarily "bribed" to turn our heads with disrespect to historical preservation in order for developers to push through their agendas. There are many loop holes that need to be corrected to stop this blatant ignorance.  We need to reconnect with our host culture and respect the Hawaiians history, language, education, arts, and culture before it is lost.		

This bill is just the beginning to protecting and preserving historical sites for our future generations and in correcting the wrongdoing of the many illegal land transactions that may have happened in the past.

Name: Joan Hansen	Email: jvchansen@yahoo.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 05:54 PM

Testimony:  
City and County needs a Historic a-preservation office.

Name: Sandra Park	Email: Lawaia49@gmail.com	Zip: 96791
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 07:10 PM

Testimony:  
We are 100% IN SUPPORT of Bill 44.  
Aloha and Mahalo,  
Sandra and Denis Park

Name: Paula Carroll	Email: paula-carroll@hotmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 07:12 PM

Testimony:  
Support!!

Name: Marata Tamaira	Email: amtamaira@gmail.com	Zip: 96720
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 07:46 PM

Testimony:  
I support Bill 44 without reservation. In the absence of a historic preservation office we cannot protect and preserve the sacred cultural sites of Oahu that have for decades been endangered. I urge you to pass this bill today as a fundamental step toward protecting the past for future generations.

Name: Shelley Fey	Email: nuifey@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 08:09 PM

Testimony:  
I support Bill 44 which would update the law related to the Oahu Historic Preservation Commission. Currently, the City & County of Honolulu is the largest destination city in America and the only county in Hawaii without a historic preservation office. We need this commission to be active and functioning to help protect and preserve our sacred cultural sites on Oahu that have for decades been transgressed.  
  
Mahalo,  
Shelley Kahuanui Fey

Name: Jeannine Johnson	Email: jeannine@hawaii.rr.com	Zip: 96821
Representing: Niu Valley Community Association	Position: Support	Submitted: Sep 15, 2022 @ 08:41 PM

Testimony:

My name is Jeannine Johnson and I have been the Secretary to the Niu Valley Community Association for over 15 years. I am also the Niu Valley representative on the Kuli'ou'ou / Kalani Iki Neighborhood Board #2. The Niu Valley Community Association strongly supports Bill 44 which would update the law related to the O'ahu Historic Preservation Commission. The original law governing the O'ahu Historic Preservation Commission went into effect in 1993, but has not been stood up by any City Administration. The City and County of Honolulu is the largest destination city in America and the only county in Hawai'i without a historic preservation office. Our community was recently shocked and dismayed to watch an important cultural and historical resource in Niu allowed to be dismantled, stone by stone, so that a landowner could have a "larger driveway." Your support for Bill 44 is requested. Mahalo.

Name: Clarissa Burkert	Email: ctburkert@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 08:41 PM

Testimony:  
Please provide the The City & County of Honolulu with a historic preservation office by hiring an adequate number of staff to protect historic properties and archaeological sites.

Name: Mialisa Otis	Email: mialisa808@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 15, 2022 @ 09:34 PM

Testimony:  
I Support Bill 44. I will be testifying in person also. Mahalo.

Name: Luana Froiseth	Email: luanafroiseth@aol.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Sep 16, 2022 @ 04:52 AM

Testimony:  
It is our Kuleana to preserve and protect the hawaiian culture and our sacred lands for all Hawaiians to come. We all need to be mindful of the destruction that humans sometimes forget to respect Please help keep our lands safe

Name: dianne lee	Email: dianneepa@yahoo.com	Zip: 96814
Representing: Self	Position: Support	Submitted: Sep 16, 2022 @ 10:20 AM

Testimony:  
I support this bill.

Name: Diane Wong	Email: malamaKalama@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 16, 2022 @ 11:04 AM

Testimony:  
I strongly agree with this bill. A historic preservation office is exactly what is needed here desperately . Far too many important historical sites have been destroyed. Auwe!!

Name: Esterae Hagen	Email: rhagen@hawaii.rr.com	Zip: 96745
Representing: Self	Position: Support	Submitted: Sep 16, 2022 @ 12:34 PM

Testimony:  
I support this bill!

Name: shayne stambler	Email: shayne808@hawaii.rr.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 07:46 AM
Testimony: A case of don't know what you have till it's gone and so much that was important is already gone.... will we never wake up?		
Name: Wainani Traub	Email: wainani.traub@swca.com	Zip: 96744
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 09:46 AM
Testimony: I support council bill 44 to restore the O'ahu Historic Preservation Commission.		
Name: Patti Danko	Email: pattidanko@aol.com	Zip: 10014
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 11:07 AM
Testimony: I support this Bill		
Name: Marisela Ross	Email: marisela.ross@gmail.com	Zip: 33019
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 11:12 AM
Testimony: I support		
Name: Keiki Cabanos	Email: kcabanos@kaladvisors.com	Zip: 96786
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 12:03 PM
Testimony: As the only county in Hawaii without a historic preservation office, it is imperative to have a active and functioning body focused on the protection and preservation of our cultural sites on Oahu. The loss or degradation of these sites would cause irreparable harm to the land, people and culture.		
Name: Marian Hieda	Email: marianhieda@gmail.com	Zip: 10014
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 12:59 PM
Testimony: It's vital to preserve and maintain Hawaiian historical references, whether on sites or artifacts. Once they are gone they can never be replaced. Members of the committee should be of proven reliability and knowledge.		
Name: mike dixon	Email: 22pokoli@gmail.com	Zip: 96712
Representing: Self	Position: I wish to comment	Submitted: Sep 17, 2022 @ 01:41 PM
Testimony: All over Europe historic homes are rented out short term so anyone can enjoy them, many of which are accompanied by short presentations of a historical nature. These are very popular and would benefit the continued survival of these unique homes and make them		

available to the public and income from rentals would eliminate the need for tax subsidy.  
It works in Europe why not here in Hawaii? I have experience in this area and would be happy to participate in any discussion.  
Signed, Mike Dixon

Name: Margarita Danielian	Email: socratessezz@yahoo.com	Zip: 10031
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 02:32 PM

Testimony:  
Support.

Name: nona wilson	Email: nowilson41@gmail.com	Zip: 96785
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 03:10 PM

Testimony:  
As a person born and raised in Hawaii nei, i am deeply concerned about the loss of historic sites and those that hold deep meaning for us. We need organizations like this who consider it their mission to find ways to hold onto these special places. That there is none on Oahu is concerning. Please consider this important legislation.

Name: Elizabeth Reilly	Email: directors@hawaiikaihui.org	Zip: 96825
Representing: Livable Hawaii Kai Hui	Position: Support	Submitted: Sep 17, 2022 @ 03:38 PM

Name: Shannon McClish	Email: shannonmcclish55@gmail.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Sep 17, 2022 @ 05:40 PM

Testimony:  
Dear Chair Kiaina, Vice Chair Say, and Members of the Committee on Housing and the Economy,

Thank you for the opportunity to testify in STRONG SUPPORT of Bill 44.

A functioning Historic Preservation Commission is long needed here in order to protect the island's historic sites, cultural heritage, values, and practices. The successes of Historic Preservation Commissions on other islands shows their importance in preserving for vital historic and cultural resources. Please pass Bill 44 to give life to the long-neglected Commission, whose duties will help to fulfill the state and county's obligations under our Historic Preservation Laws, and protect the irreplaceable and unique historic sites that our cultural, environmental, and social integrity all depend upon.

Therefore, I respectfully urge you to PASS Bill 44.

Mahalo nui,

Shannon

Name: N Miller	Email: nersa@halawai.org	Zip: 10025
Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 12:13 AM

Testimony:  
Support

Name: Adrienne Stroud	Email: stroudrosa@aol.com	Zip: 12075
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Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 07:53 AM
Testimony: Nothing is more important than preserving history for future generations.		
Name: Georgia Bibeau	Email: divawright62@me.com	Zip: 10033
Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 09:16 AM
Testimony: I was born in Honolulu 60 years ago. I support any efforts to preserve and discover heritage sites on 'Oahu. Mahalo		
Name: lynne matusow	Email: lynnehi@aol.com	Zip: 96817
Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 03:47 PM
Testimony: Almost thirty years have passed since the City Council passed enabling legislation for the Commission via Ordinance 93-55 and enacted it in Revised Ordinances of Honolulu Section 3 Article 10. Despite clear policy directive and authority from Council, successive administrations failed to establish the Historic Preservation Commission. It has never had appointees or staff, so has been a paper commission only.  This is a disgrace. It must be rectified now. Deadlines should be included in the bill so that the current administration does not get away with the malfeseance of those that preceded it since 1993.		
Name: Malia Marquez	Email: maliamarquez71@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 08:47 PM
Testimony: Aloha Kkou,  I am in absolute SUPPORT for Bill 44. O'ahu should have a historic preservation commission. We are the most developed island, over run, over populated with little care for the ancestors that came before us. We as kanaka maoli have a kuleana to our kupuna who have passed before us no matter WHERE they are laid to rest and buried. We need to protect our iwi kupuna. Please support Bill 44. Mahalo.		
Name: Cecilia Reilly	Email: recoveryhis99@gmail.com	Zip: 96793
Representing: Self	Position: Support	Submitted: Sep 18, 2022 @ 10:55 PM
Testimony: Aloha, Protection of iwi kupuna and historic sites on Oahu is essential to the health of our communities. The "lack of proper management" song and dance is played out! No longer can we stand by and allow the violence and arrogance of settler, colonial mentality to desecrate and destroy the history of this amazing nation we're working so hard to preserve. This is one step towards right relation w/ this land and culture. Pass this bill!		
Name: mahealani cypher	Email: malama pono744@aol.com	Zip: 96744
Representing: Ko'olau Foundation	Position: Support	Submitted: Sep 19, 2022 @ 12:01 AM
Name:	Email:	Zip:



Leialoha Kaluhiwa	rockykaluhiwa1122@gmail.com	96744
Representing: Ko'olaupoko Hawaiian Civic Club	Position: Support	Submitted: Sep 19, 2022 @ 12:04 AM
Name: Jana Ireijo	Email: janaireijo@gmail.com	Zip: 06880
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 02:20 AM
<p>Testimony:</p> <p>Dear Chair Kiaina, Vice Chair Say, and Members of the Committee on Housing and the Economy,</p> <p>Thank you for the opportunity to testify in STRONG SUPPORT of Bill 44.</p> <p>Oahu's historic sites not only define our island's unique heritage and cultural identity, but also serve as a living repository for values, practices and knowledge that may be critical to our future resilience. It deserves to have a functioning Historic Preservation Commission, like all of the other islands, to ensure our vital historic and cultural resources are accounted for and protected. Please pass Bill 44 to give life to the long-neglected Commission, whose duties will help to fulfill the state and county's obligations under our Historic Preservation Laws, and protect the irreplaceable and unique historic sites that our cultural, environmental, and social integrity all depend upon.</p> <p>Therefore, I respectfully urge you to PASS Bill 44.</p> <p>Mahalo nui, Jana Ireijo</p>		
Name: Steven Thomas	Email: melezdad1@yahoo.com	Zip: 96789
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 06:37 AM
<p>Testimony:</p> <p>I support the formation of an Historic Preservation Commission for Oahu. With the overwhelming majority of developers choosing to build and private owners building "monster homes" here on Oahu, we need a commission dedicated to this island. The SHPD is spread over all islands and is inadequate to provide for the needs of Oahu specifically.</p> <p>Again, I support the formation of an Oahu Historic Preservation Commission</p> <p>Mahalo</p> <p>Steven Thomas</p>		
Name: Mardi LaPrade	Email: mardilaprade@aol.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 06:56 AM
<p>Testimony:</p> <p>Dear Sirs,</p> <p>I strongly support Bill 44. There is a great need for an active and functioning Historic Preservation Office to ensure the protection of cultural sites on Oahu. I am concerned that future generations may not be able to see and learn from the voices of the past left in stone and in artifacts, the knowledge they impart, the wisdom they echo, if the historical and cultural sites of Oahu continue to suffer destruction. I wish for my grandsons to be able to see, visit, and treasure their heritage. Please ensure that Bill 44 is supported.</p> <p>Mahalo, Mardi LaPrade</p>		
Name:	Email:	Zip:

Tara Rojas	trhawaii@hotmail.com	96706
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 07:13 AM
<p>Testimony:</p> <p>IWI KPUNA are the foundation of Hawaii and Knaka Maoli.</p> <p>129 years of continued desecration to develop and to cater to outside interests is enough.</p> <p>Bill 44 is necessary to Protect and to Preserve what is held in the highest honor - to allow Knaka Maoli IWI KPUNA to rest in the peace they deserve.</p> <p>I SUPPORT Bill 44.</p> <p>Mlama pono, Tara Rojas</p>		
Name: Debra Javar	Email: debijavar@gmail.com	Zip: 96704
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 07:15 AM
<p>Testimony:</p> <p>I am in SUPPORT of this bill. We MUST preserve our Native Hawaiian historical sites including our Kpuna burial sites. I am Native Hawaiian, This is our Homeland, Please help us to Protect our historical sites. Mahalo nunui.</p>		
Name: Cheryl Burghardt	Email: burgharc@gmail.com	Zip: 96813
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 07:29 AM
<p>Testimony:</p> <p>This testimony is written in SUPPORT of the establishment of an O`ahu Historic Preservation Commission. There are too many times on O`ahu that there is a disconnect between the Department of Permitting and Planning and the State Historic Preservation Division has been the cause of so much desecration. O`ahu is being inundated with development putting our iwi kpuna and other historic and sacred sites at constant risk.</p> <p>With this testimony of support, I ask that the city also allocate funds for this commissions work as well as procedures for hiring and implementation of policy with immediacy. The City Council and offices within Honolulu and O`ahu need to have more training on using the lens of protection rather than destruction of our islands treasured history and sites.</p> <p>Again, I SUPPORT this bill.</p>		
Name: Maile Loo	Email: loo.maile@yahoo.com	Zip: 96744
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 07:33 AM
<p>Testimony:</p> <p>SUPPORT</p>		
Name: Kamakana Ferreira	Email: kamakanaf@oha.org	Zip: 96817
Representing: Office of Hawaiian Affairs	Position: Support	Submitted: Sep 19, 2022 @ 08:40 AM
Name: Veronica Kawanakoa	Email: vtropic@yahoo.com	Zip: 96815

Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 09:40 AM
<p>Testimony:</p> <p>I've lived in Hawai'i since the late seventies and appreciated the historic residences and buildings that were here at the time. Some have been torn down and replaced , but I was fortunate enough to get to know Nancy Bannick who changed the dynamic of the preservation of historic buildings in Hawaii from many years before our meeting in the 1990's. She was the driving force that protected so much of Chinatown as well as other buildings as well as her contributions to "Pohaku: The Art and Architecture of Stonework in Hawaii".</p> <p>I am in full support of Bill 44 along the suggested guidelines as submitted by the "working group" of Kehaunani Abad, Mhealani Cypher and Kiersten Faulkner, as detailed below as well as the addition of content added by Council member Kia'ina received from City counsel and DPP staff as outlined in the quotes below. We owe this to the people that have worked so hard like Nancy Bannick to keep Oahu's historic buildings safe and protected.</p> <p>"Retaining consistency and compliance with the National Historic Preservation Act, the Federal framework for preservation partnerships and funding, and with the State of Hawaii's Certified Local Government (CLG) program. Eliminating redundancies or conflicts between the O'ahu Historic Preservation Commission and the State's historic preservation functions at the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources (DLNR). Clarifying and updating administrative provisions, practices and various non-technical housekeeping revisions to include current terminology and references.</p> <p>Bill 44 includes many but not all of the working group's recommendations. Councilmember Kia'ina also incorporated recommendations and input from City attorneys and DPP staff.</p> <p>According to the bill summary, Bill 44:</p> <p>Modifies the composition of the Oahu Historic Preservation Commission Retains a 9-member commission, and requires that members have professional experience or special interest in 9 subjects: architecture, history, archaeology, planning, architectural history, Hawaiian culture, anthropology, ethnography, and sociology (underlined are proposed expanded subjects) Retains the requirement that one member of the commission have expertise in Native Hawaiian issues and concerns Requires one member to have expertise in archaeology Allows members to have a combination of expertise in the listed subjects Requires expertise to be shown through professional experience, educational and background, or other demonstrative experience Includes public advocacy as one of the commission's duties Requires the commission to create an "O'ahu historic property system," for the survey, identification, and inventory of historic properties and archaeological sites. The system would be integrated into the City's Department of Permitting and Planning's (DPP) planning, application, review, and compliance system and complement the State Historic Preservation Division's (SHPD) inventory system. Requires the commission to review proposed projects that may adversely impact historic properties and allows the commission to make recommendations to SHPD (instead of DPP) to avoid, minimize, and mitigate adverse impacts of proposed projects on historic properties; and In order to eliminate unnecessary duplication, repeals the establishment of an O'ahu Register of Historic Places and allows the commission to initiate and recommend nominations of historic properties to SHPD directly."</p> <p>Veronica G Kawananakoa</p>		
Name: Michael Hikalea	Email: mikehikalea@yahoo.com	Zip: 96795
Representing: Puuhonua o Wailupe	Position: Support	Submitted: Sep 19, 2022 @ 10:08 AM
<p>Testimony:</p> <p>I support bill 44</p>		
Name: Kalaimanui Hikalea	Email: kalaihikalea@gmail.com	Zip: 96795

Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:12 AM
Testimony: I support bill 44		
Name: Brenda Hikalea	Email: hikaleab@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:16 AM
Testimony: I support Bill 44		
Name: Mike Hikalea Jr	Email: aelakihmj@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:35 AM
Testimony: I support Bill 044(22)		
Name: Jessica Hikalea	Email: aelakihj@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:36 AM
Testimony: I support Bill 044 (22)		
Name: Kauai Lucas	Email: lucas@kaulana.net	Zip: 96821
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:50 AM
Testimony: Dear Council Chair Waters and HECON Committee Members: Bill 44 will provide much needed confidence for both developers and the community that projects are properly vetted. Please pass it. The community I live in, Niu, is one of the latest painful examples of the need for oversight and inter departmental communication. We (those of us with historical ties, and those who respect those ties) can't help hating the people who turned one modestly large house into 3 lot line structures, bulldozing heiau terracing for more ample parking in the process. Please, pass bill 44.  mahalo, Kauai Kucas		
Name: Elizabeth Riegels	Email: shakaesr@hotmail.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:56 AM
Testimony: historic preservation is important - i support Bill 44 - elizabeth		
Name: Kiersten Faulkner	Email: kiersten@historichawaii.org	Zip: 96817
Representing: Historic Hawaii Foundation	Position: Support	Submitted: Sep 19, 2022 @ 11:31 AM

Name: Ted Bohlen	Email: tboh18@yahoo.com	Zip: 96822
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 12:13 PM
<p>Testimony:</p> <p>Please pass Bill 44!</p> <p>The City and County needs an Historic Preservation Commission to help identify and preserve historic and cultural resources on O'ahu. Such resources, once lost, cannot be replaced. Oahu has experienced such permanent losses.</p> <p>Other cities have such a commission to protect historic and cultural resources.</p> <p>The State SHPD alone is not adequate to protect such resources. Bill 44 would lead to better coordination with SHPD and better protection of its historic and cultural resources.</p> <p>Oahu needs Bill 44!</p> <p>Mahalo!</p>		
Name: Jan Becket	Email: janbecket.net@gmail.com	Zip: 97056
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 12:45 PM
<p>Testimony:</p> <p>This is testimony in favor of bill 044, establishing a historic Preservation Commission. I am one of the authors and editors of the book Pana Oahu (UH Press, 1999). In the 12 years leading up to the publication of the book, my partners and I visited and documented over 125 pre-contact Hawaiian ceremonial structures on Oahu. Despite the destruction of many over the years, many still remain, often overgrown, forgotten and unvisited. I witnessed the destruction of numerous sites that were seen as inconvenient barriers to development, or in some cases, not seen at all for what they were. The list is long: Kukiokne Heiau in Luluku, now under the H-3 Freeway, Noi Heiau in Laie, now partly under a sewage treatment plant, Hwea Heiau in Maunaloa, partly destroyed by Kaiser Development, the numerous fishing shrines at Oneula, destroyed to create the footprint of the Ewa Marina that never got built. And most recently, the bulldozing of a remnant of Klepaemoa Heiau in Niu Valley in the construction of a house. The continuing eradication of Hawaiian cultural sites impoverishes us all and stands as an indictment of currently toothless preservation safeguards. I urge you to establish a Historic Preservation Commission and to task it with safeguarding these irreplaceable cultural treasures.</p>		
Name: Lauren Ballesteros-Watanabe	Email: esta.asi24@gmail.com	Zip: 96822
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 12:51 PM
<p>Testimony:</p> <p>Aloha Chair Kiaina, Vice Chair Say, and Members of the Committee on Housing and the Economy,</p> <p>Thank you for the opportunity to testify in STRONG SUPPORT of Bill 44.</p> <p>Oahu's historic sites not only define our island's unique heritage and cultural identity, but also serve as a living repository for values, practices and knowledge that may be critical to our future resilience. It deserves to have a functioning Historic Preservation Commission, like all of the other islands, to ensure our vital historic and cultural resources are accounted for and protected. Please pass Bill 44 to give life to the long-neglected Commission, whose duties will help to fulfill the state and county's obligations under our Historic Preservation Laws, and protect the irreplaceable and unique historic sites that our cultural, environmental, and social integrity all depend upon.</p> <p>Therefore, I respectfully urge you to PASS Bill 44.</p> <p>Mahalo nui, Lauren Ballesteros-Watanabe Makiki, 96822</p>		
Name: Stefanie Sakamoto	Email: ssakamoto@imanaka-asato.com	Zip: 96789

Representing: BIA Hawaii	Position: I wish to comment	Submitted: Sep 19, 2022 @ 01:11 PM
Name: Jessica dos Santos	Email: nrtshrlv@gmail.com	Zip: 96731
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 01:55 PM
Testimony: I strongly support the establishment of an O`ahu Historic Preservation Commission.		
Name: Ronald Brown	Email: ronpb43@gmail.com	Zip: 96822
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 02:11 PM
Testimony: I wish to express my strong support for Bill 44 reestablishing the Oahu Historic Preservation Commission. Hawaii has an enormously rich historical record which must be preserved. Honolulu is far behind other areas of the country in acting to preserve this history. To a large extent this neglect has arisen from a desire to not let such preservation interfere with real-estate development, but this is terribly short-sighted. We must not forget who we are in the race to cover the island with high-rises and tract-housing. And don't forget that our economy is heavily dependent on tourism which is made more appealing by the fact that we are a location with an extraordinarily rich history. Development-and we do need much more sustainable housing-- and preservation should go hand in hand. And Bill 44 creates important machinery to help recognize and protect our historical sites and let preservation and development work together.		
Name: Jody Green	Email: jmelanigreen@hotmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 02:13 PM
Testimony: Aloha, I would like to submit my strong support for Bill 44. Oahu needs it's own Historic Prevention Commission. The developing has almost covered this whole island and much destruction has already happened, unfortunately. Outsiders buy land to develop without knowledge or caring for the sacred importance of these islands. Many sacred spaces are already sadly desecrated, lost forever. Please help protect iwi kupuna for our future generations.  Mahalo for this opportunity to comment, Jody Green		
Name: Lorraine Minatoishi	Email: Lorraine@aepac.com	Zip: 96814
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 02:33 PM
Name: Nanea Lo	Email: naneaclo@gmail.com	Zip: 96826
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 02:48 PM
Testimony: Dear Chair Kiaina, Vice Chair Say, and Members of the Committee on Housing and the Economy,  Thank you for the opportunity to testify in STRONG SUPPORT of Bill 44.  Oahu's historic sites not only define our island's unique heritage and cultural identity, but also serve as a living repository for values, practices and knowledge that may be critical to our future resilience. It deserves to have a functioning Historic		

Preservation Commission, like all of the other islands, to ensure our vital historic and cultural resources are accounted for and protected. Please pass Bill 44 to give life to the long-neglected Commission, whose duties will help to fulfill the state and county's obligations under our Historic Preservation Laws, and protect the irreplaceable and unique historic sites that our cultural, environmental, and social integrity all depend upon.

Therefore, I respectfully urge you to PASS Bill 44.

me ke aloha ina,  
Nanea Lo

Name: Letani Peltier	Email: cnhapolicycenter@hawaiiancouncil.org	Zip: 96707
Representing: Council for Native Hawaiian Advancement (CNHA)	Position: Support	Submitted: Sep 19, 2022 @ 02:52 PM

Name: Wayne Tanaka	Email: wayne.tanaka@sierraclub.org	Zip: 96803
Representing: Sierra Club of HawaiË»i	Position: Support	Submitted: Sep 19, 2022 @ 02:54 PM

Name: Ekini Lindsey	Email: ekinilindsey@gmail.com	Zip: 96812
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 03:41 PM

Testimony:

I am in strong SUPPORT for Bill 44 to help establish an O'ahu Historic Preservation Commission!!! It is imperative to persue this measure to protect and preserve historical, and ancient sites in addition, unearthed ancestral bones. There are multitude of historical platforms that need immediate support. There are documents, treatment plans, and recorded records to help further this measure. Many sites are entitled to be registered with the National Historic landmarks. We all have an obligation in preserving Hawaii's culture. SUPPORT BILL 44!! Mahalo nui loa for allowing this opportunity.

Name: Kimeona Kane	Email: Kimeonakane@gmail.com	Zip: 96795
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 03:56 PM

Testimony:

Aloha nui kkou

Please support the passing of this Bill and ensure that this topic of preserving is not just talked about, but acted upon in concert with the urging of Communities fighting for preservation. This is an important first step to engaging and developing community trust, which unfortunately through years of misguided effort has left this a very discouraging process. Mahalo nui, Kimeona Kane

Name: Christine Trecker	Email: christinet54@gmail.com	Zip: 96817
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 04:08 PM

Name: Kahiau Wallace	Email: kahiau@hoalaainakupono.org	Zip: 96717
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 07:55 PM

Testimony:

I support an Oahu Historic Preservation Commission to aid in the protection and preservation of sacred sites on Oahu.

Mahalo nui!

Name: Pono Javar	Email: ktm2013350@icloud.com	Zip: 96706
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 08:16 PM

Testimony:

Aloha kapuna aloha aina Hawaiian aloha mauka to makai leave Hawaiian iwi where they should be no disturbances of them or any Hawaiian secret aina and of there things found or discovered mahalo ke AKUA

Name: Dara Yatsushiro	Email: breaking-the-silence@hotmail.com	Zip: 96734
Representing: Self	Position: Support	Submitted: Sep 19, 2022 @ 10:59 PM

Testimony:

Stand in strong support!

Name: Herb Lee	Email: herblee@thepaf.org	Zip: 96734
Representing: Pacific American Foundation	Position: Support	Submitted: Sep 20, 2022 @ 04:04 AM

Name: Zhizi Xiong	Email: alohadivinedesign@gmail.com	Zip: 96817
Representing: Self	Position: Support	Submitted: Sep 20, 2022 @ 08:13 AM

Testimony:

Good morning chair, vice chair & council,

I'm testifying in strong support as a concerned citizen.

I will echo what the Historic Hawaii Foundation said in their written testimony. Despite clear policy directive and authority from the council, the administrations have failed to establish the Historic Preservation Commission. It has never had appointees or staff before being outlined here in the parameters of this resolution.

The partnership is based on mutual goals, standards & guidelines in preservation efforts. The National Historic Preservation Act of 1966 envisioned these types of boards to encourage preservation and wise use of historic resources. These boards were meant to encourage historic preservation at a local level, encourage local government to follow the national standards for archaeology and historic buildings, sites, structures and districts in developing and administering their preservation programs and to provide technical assistance through a partnership in the State Historic Preservation Division.

The OHPC can help the city by identifying properties and creating an Oahu historic system of inventory which could be integrated with the City's DPP planning application, review and compliance system and it would complement the State Historic Preservation inventory system. The city would benefit from the preservation commission and enrolling in the states certified local government program to access the CLG grant. The CLG grant can provide planning & financial assistance for start-up projects. And the Community Development Block Grants can match CLG funds.

There are many landscapes, buildings and historic sites are apart of the community's unique character and story. Reestablishing the commission will help to acquire valuable sites to preserve our history.

Thank you for the opportunity to testify.

Name: Chantal Seitz	Email: chantal.seitz@gmail.com	Zip: 96707
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Representing: Self	Position: Support	Submitted: Sep 20, 2022 @ 09:34 AM
Testimony: I support this bill.		
Name: Healani Sonoda-Pale	Email: healanipale@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Sep 20, 2022 @ 10:25 AM
Testimony: Aloha Chair Kia'aina and Members of the Committee,  Mahalo for hearing this bill which will reestablish an Oahu Historic Preservation Commission.  As an iwi kupuna protector I find it unacceptable that many times Kanaka Maoli and our allies have to put ourselves on the front line to stop desecration from happening. O'ahu has a population of 1 million residents and is being over developed which puts our sacred, cultural and historic sites at risk including the burials of our Kupuna.  Despite what others say we, the Kanaka Maoli people, are the only ones that face a constant threat of our ancestors being dug, their bones crushed and burned. This brings deep trauma and pain to the indigenous peoples of Hawai'i especially when made to watch it happen.  Aside from over development on O'ahu there are other issues that make protecting Kanaka Maoli traditional burials difficult: 1. The lack of staff seems to be a problem with State Historic Preservation Division (SHPD). I hope that this bill will allow the O'ahu Historic Preservation Commission to hire more than just one archaeologist. 2. There's lack of consequences for working with no permit and or violating the conditions of permits issued by the County Department of Permitting and Planning (DPP). Citations need to be given often to violators. 3. There seems to be no enforcement of laws that protect traditional Kanaka Maoli burials as well. 4. And last but not least the lack of communication between SHPD and DPP. We are hoping this bill will make a difference. With a County Historic Preservation Commission established I hope this will decrease the instances of building permits being given on known historic burial sites.  'O wau iho no,  Healani Sonoda-Pale		



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*Hāwea Heiau Complex  
& Keawāwā Wetland*  
CELEBRATE THE CULTURAL AND NATURAL RESOURCES OF YOUR COMMUNITY!



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Ka Iwi Coast

Livable Hawaii Kai Hui is a  
501(c)(3) non-profit,  
community organization  
serving East Honolulu  
since 2004. We strive to  
promote sensible growth,  
respect for cultural &  
natural resources, and  
upholding the integrity of  
the East Honolulu  
Sustainable Communities  
Plan.

September 17, 2022

Honolulu City Council  
Committee on Housing and the Economy  
Regular Meeting on September 20, 2022 at 10:30 a.m.  
Honolulu Hale/Virtual Meeting

RE: **Support and comments for Bill 44 (2022) – Oahu Historic Preservation Commission**

Aloha Chair Kia'āina, Vice Chair Say, and HECON Committee Members,

As a Maunaloa-based nonprofit concerned with natural and cultural resource preservation, Livable Hawaii Kai Hui greatly appreciates the intent of Bill 44 (2022) and thanks this Committee for taking up the measure. The catalyst for Bill 44 occurred right here in East Honolulu when City-permitted construction destroyed a portion of historic dry-stack stone walls. Naturally, the Hui wishes to testify in **support** of Bill 44 and offer the following **comments**:

While we commend Bill 44's amendments to and streamlining of Section 3-10, Revised Ordinances of Honolulu 1990, one change in particular stood out to us. We agree that as it is currently written, Section 3-10.3(b) may be overly prohibitive in its definition of more than half the Commission's membership, but we believe **Bill 44 removes part of the ordinance's original intent**.

It is clear that by requiring both a native speaker of 'Ōlelo Hawai'i and a Hawaiian Kahu, the existing ordinance all but guarantees **Native Hawaiian participation and representation**. We find Bill 44's language requiring only "an expert in Native Hawaiian culture issues and concerns" weakens the influence of the ordinance which, despite its own weaknesses, at least attempts to ensure that narrow interpretation cannot easily shut out Native Hawaiians. This is in no way a criticism of Bill 44's intentions, but rather a plea to keep, within constitutional parameters, the existing ordinance's intent when it comes to the Commission's makeup.

Like the Chair who introduced Bill 44, we were deeply troubled by the news of what happened in Niu Valley last year. Respect for cultural resources is explicit in our mission statement because we recognize the role we as a community must serve – as stewards of lands upheld by a thousand years of Hawaiian history, meant to be protected for a thousand more. Thank you for sharing this vision and considering our comments when finalizing this important bill.

Mahalo,

Elizabeth Reilly  
Founder/President

Ann Marie Kirk  
Cultural Advisor



*Ko`olau Foundation*

P. O. Box 4749

Kane`ohe, HI 96744

[malamapono744@aol.com](mailto:malamapono744@aol.com) / [koolaufoundation@gmail.com](mailto:koolaufoundation@gmail.com)

August 9, 2022

TO: Chair Tommy Waters  
And Members, Honolulu City Council

FROM: Mahealani Cypher  
Ko`olau Foundation

SUBJECT: Bill 44, O`ahu Historic Preservation Commission

Aloha Chair Waters, Vice Chair Kia`aina, and Members of the City Council:

I bring you greetings and much aloha from the Ko`olau Foundation as we offer our strong support for Bill 44, which would update and strengthen the language regarding the O`ahu Historic Preservation Commission.

The Ko`olau Foundation is dedicated to the preservation of historic sites and cultural properties, and works to raise awareness of the rich history and heritage of our island and its peoples.

We are pleased that the Council is considering these revisions to the law. Our members were involved in efforts to pass this ordinance back in 1993, when the Council agreed with us that measures were – and still are – needed to address protection and/or preservation of historic and cultural properties on our island.

We should note that this ordinance was passed many years ago by a Council override of a mayoral veto, and that subsequent administrations have failed to staff or appoint members to this commission.

The counties of Maui, Kaua`i and Hawai`i island all have historic preservation commissions, and all seem to be functioning very well. They also enjoy federal funding to support those operations. O`ahu is the only island without this kind of review and consideration for projects that affect historic and cultural properties.

We are grateful to Council members and staff who have worked on this revised language, which we hope will encourage the Administration to move forward with staffing and appointing commission members once this bill is passed.

Mahalo nui for allowing us to share our mana`o.



# KO'OLAUPOKO HAWAIIAN CIVIC CLUB

September 20, 2022

TO: Esther Kia`aina, Chair/And Members  
Honolulu City Council Committee on Housing & the Economy

FROM: Leialoha “Rocky” Kaluhiwa  
President, Ko`olaupoko Hawaiian Civic Club

SUBJECT: BILL 44 – SUPPORT

Aloha mai kakou!

The Ko`olaupoko Hawaiian Civic Club strongly urges the passage of Bill 44, which would improve existing language concerning the Oahu Historic Preservation Commission.

Our civic club is comprised primarily of members who reside in Windward O`ahu, moku Ko`olaupoko; however, we advocate for and support measures to protect our historic places throughout O`ahu and across the pae`aina Hawai`i.

What defines our island from other islands in the Hawaiian chain? Is it just because our island is more heavily developed, or because there has been more concrete poured on the island of O`ahu than any other of the Hawaiian islands?

What makes Waikiki different from Palm Beach or Florida or other visitor destinations where people go for “fun and sun”? Why would people from other countries want to come to Hawai`i, which is such a pricey destination compared with other places on the continental U.S?

We suggest that our island has history of its own, unique history and its unique historic places, like the Nu`uanu Pali, or Kukaniloko, or the famous surfing beaches like Makaha and others.

These wahi pana and wahi kapu are so important to our heritage. We need this commission to function properly and help planners, landowners and decision-makers understand the intrinsic value of historic sites. Whether they existed 100 years ago or a thousand years ago, these places are important in our own generation and for generations to come. This commission can help preserve these historic sites for all time.

Mahalo for allowing me to share our mana`o. Please pass this legislation.

*The Ko`olaupoko Hawaiian Civic Club was established in 1937 and is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians. One of the largest of the Hawaiian Civic Clubs, its membership is open to people of Hawaiian ancestry and those who are “Hawaiian at heart”.*



**Honolulu City Council**  
**Committee on Housing and the Economy**  
Regular Meeting  
September 20, 2022

**AGENDA ITEM 2: BILL 44 (2022) – AMENDING THE ORDINANCE RELATING TO THE  
O‘AHU HISTORIC PRESERVATION COMMISSION**

SEPTEMBER 20, 2022

10:30 a.m.

City Council Chamber

The Office of Hawaiian Affairs (OHA) offers the following testimony in **strong support** of Bill 44 which provides proposed amendments to Revised Ordinances of Honolulu (ROH) Chapter 3-10 pertaining to the implementation of an O‘ahu Historic Preservation Commission (OHPC). The establishment and functioning of this important review body will greatly enhance the current historic preservation review process for O‘ahu and allow for greater community input. The proposed amendments are meant to refine the ordinance and strengthen implementation pursuant to recommendations made by a small working group under the direction of Councilmember Esther Kia‘āina.

For context, the working group was assembled after a failed January 2021 attempt by the City & County of Honolulu (CCH) Department of Permitting and Planning (DPP) to repeal the ordinance and the Honolulu City Council Committee determination that the ordinance should instead be reviewed to address any out-of-date or unworkable provisions. OHA appreciates Councilmember Kia‘āina’s efforts and sees extraordinary value to the operation of an OHPC much in the way that all other Counties in the State of Hawai‘i (State) have benefited from operation of their respective historic preservation commissions. It is almost inconceivable for the CCH not to have one, yet the DPP still attempted to repeal the ordinance for reasons that seem to run counter to the interests of upholding the public trust and rights provided under the National Historic Preservation Act (NHPA) to create certified local governments (CLG).

OHA is the constitutionally-established body responsible for protecting and promoting the rights of Native Hawaiians,<sup>1</sup> and has substantive obligations to protect the cultural and natural resources of Hawai‘i for the agency’s beneficiaries.<sup>2</sup> Accordingly, OHA is required to serve as the principal public agency in the State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians; assess the policies and practices of other agencies impacting native Hawaiians and Hawaiians; and, conduct advocacy efforts for native Hawaiians and Hawaiians.<sup>3</sup> Historic Preservation concerns are a recurrent priority with our beneficiaries and a constant source of both consternation and increasing litigation as many of these historic sites are remnants of the last vestiges of Native

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<sup>1</sup> HAW. CONST. ART. XII, § 5

<sup>2</sup> See Haw. Rev. Stat. (“HRS”) Chapter 10 (2009).

<sup>3</sup> HRS § 10-3 (2009).



## Testimony

### **Honolulu City Council Committee on Housing and the Economy Regular Meeting September 20, 2022**

Hawaiian cultural resources. The subject remains highly-emotive, and often contentious,<sup>4</sup> as balancing constitutionally protected resources and landowner/developer rights can be difficult.

The NHPA of 1966, as amended, directs the establishment of CLGs, which according to the National Park Service (who administers the program) creates partnerships between County, State and Federal governments, to enhance historic preservation efforts through the provision of funding and technical support, leading to the sustainability and viability of precious irreplaceable historical resources by local communities.<sup>5</sup> The OHPC was authorized in 1990 with the intent to become a CLG attached to the DPP.<sup>6</sup> Regrettably, to date, the OHPC has never been formally constituted and operational despite O‘ahu being the most populous island with arguably the most intense development projects that tend to cause irreversible impacts to fragile and important cultural resources, including projects by the CCH itself.<sup>7</sup>

It should be noted that Kaua‘i County had their Kaua‘i Historic Preservation Review Commission (KHPRC) established in 1986 and it is attached administratively to the Kaua‘i Planning Department. The KHPRC prides itself on being the first County to “facilitate public participation in historic preservation efforts at the local level,”<sup>8</sup> and continues to “protect, preserve, perpetuate, promote, enhance and develop the historic resources of Kaua‘i.”<sup>9</sup> Similarly, the Maui County Cultural Resources Commission (MCCRC) was formally established in 1992,<sup>10</sup> and also administratively attached to the Maui County Planning Department. The MCCRC has been a critical partner and component of historic preservation review in Maui County and further regularly provides a public forum for many projects on Maui that are impacting historic and cultural resources.<sup>11</sup> More recently, the MCCRC utilized CLG funds to undertake an important archaeological survey of the Lāhainā National Historic Landmark.

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<sup>4</sup> Note the recent controversy regarding Waimanalo Bay Beach Park and the 28 arrests of individuals, including many OHA Beneficiaries. Kirsten Downey and Christina Jedra, Honolulu Civil Beat, September 26, 2019

<sup>5</sup> <https://www.nps.gov/clg/>

<sup>6</sup> Chapter 3, Article 10 of the Revised Ordinances of Honolulu 1990.

<sup>7</sup> Twenty years ago, under Honolulu Mayor Jeremy Harris, the City’s Kūhiō Beach Park Expansion and Kalākaua Avenue Promenade and associated Board of Water Supply Kalākaua Main Replacement disturbed over fifty unmarked ancestral Native Hawaiian Burial Sites. There were also disturbances of unmarked burial sites at City parks such as Waimea and Mokuleia during the installation of leech fields. As part of the mitigation for these controversial projects, the City Administration made commitments to the SHPD and affected descendants to have the OHPC up and running.

<sup>8</sup> Garden Island News, October 23, 2016

<sup>9</sup> KHPRC Chair Anne Schneider, Id.

<sup>10</sup> Title MC-12, Department of Planning, Subtitle 05, Maui County Cultural Resources Commission, Chapter 531, “Standards and Criteria Relating to the Duties and Authority of the Maui County Cultural Resources Commission.”

<sup>11</sup> [https://www.mauicounty.gov/188/Maui-County-Cultural-Resources-Commisio\(n\)](https://www.mauicounty.gov/188/Maui-County-Cultural-Resources-Commisio(n))



## Testimony

### **Honolulu City Council Committee on Housing and the Economy Regular Meeting September 20, 2022**

Hawai'i County is the latest of the counties to obtain CLG status with its enabling ordinance in 2009 and subsequent State approval in 2014 of the Hawai'i Cultural Resources Commission (HCCRC) after developing its operating procedures and rules. The HCCRC is also placed within the Hawai'i County Planning Department for administrative purposes. A quick review of the HCCRC meeting agendas and minutes (beginning in September 2013) shows important historic preservation work being performed with public input at every step of the way.<sup>12</sup>

This leaves the CCH, unfortunately, as the only County not participating in this important CLG program designed to assist the State in protecting and preserving historic and cultural properties from irreparable damage and loss. Again, there is no clear reason for this or any justification as to why CCH should be the only County without one. The rich ancient Hawaiian culture present on O'ahu provides immense value to the CCH and the State, including, but not limited to ancestral burial sites, heiau and other ceremonial structures, kauhale and hale (house) sites. These vestiges of Hawaiian material culture remain dispersed throughout the entire island of O'ahu, and still exist in the densest of developed areas such as downtown Honolulu, and even Waikiki. The OHPC can provide for critical local and public input directly into the historic preservation process, something that both the DPP and the State Historic Preservation Division (SHPD), as agencies, consistently struggle with in OHA's experience over the past two decades. The OHPC would be both an asset and a resource for both the DPP and the SHPD in their respective responsibilities and roles.

OHA further notes that each County continues to have controversial cases and issues directly relating to historic and cultural resource protection affected by an understaffed and under resourced SHPD.<sup>13</sup> The OHPC could truly assist the SHPD by serving as another set of eyes on projects and providing a dedicated forum for public participation in the historic preservation process. Establishing and enabling an OHPC would not only bring the CCH, and the island of O'ahu, up to par and in alignment with the other counties and islands, but genuinely demonstrate a commitment to the citizenry of Honolulu and the State of Hawai'i that the public trust is being protected and the last vestiges of our collective historical and cultural legacy, which makes Hawai'i so unique in the World, are cherished, valued, and preserved, through partnerships and meaningful commitments.

**Mahalo for the opportunity to testify. The OHA respectfully requests that this Committee pass Bill 44.**

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<sup>12</sup> <https://www.planning.hawaiicounty.gov/about-us/boards-committees>

<sup>13</sup> The various Island Burial Councils (IBCs), who were created around the same time as Kaua'i's and O'ahu's CLGs, continue to raise concerns, most recently with OHA, regarding the SHPD's efficacy for over the past two decades.

# HISTORIC HAWAI'I FOUNDATION

**To:** The Honorable Esther Kia'aina, Chair  
The Honorable Calvin Say, Vice Chair  
Honolulu City Council Committee on Housing and the Economy

**From:** Kiersten Faulkner  
Executive Director, Historic Hawai'i Foundation

**Committee Date:** Tuesday, September 20, 2022  
10:30 a.m.  
City Council Chamber

**Subject:** **Bill 44 (2020) O'ahu Historic Preservation Commission**

On behalf of Historic Hawai'i Foundation (HHF), I am writing in **strong support** for the proposal to reestablish the O'ahu Historic Preservation Commission.

## **BACKGROUND and CONTEXT**

The purpose of the O'ahu Historic Preservation Commission is to establish a means by which the City & County of Honolulu can formulate and implement a comprehensive program for the identification and preservation of historic and cultural resources on O'ahu. These types of local government boards were envisioned and established in the National Historic Preservation Act of 1966 (NHPA) to encourage preservation and wise use of historic resources. The Act created the Certified Local Government (CLG) program to encourage local governments to undertake local historic preservation efforts.

In 1993, City Council passed enabling legislation for the Commission via Ordinance 93-55 and enacted it in Revised Ordinances of Honolulu [Section 3 Article 10](#). Despite clear policy directive and authority from Council, successive administrations failed to establish the Historic Preservation Commission. It has never had appointees or staff, so has been a paper commission only.

The framework established by the NHPA set up a decentralized partnership between the federal, state and local governments. The partnership is based on the use of common goals, standards and guidelines when undertaking preservation efforts. To help state and local governments achieve the purpose and goals of the NHPA, federal funds are provided to State Historic Preservation Offices. Of those funds, a specific percentage is passed through to Certified Local Governments to support local preservation efforts.

In Hawai'i, three of the four Counties have established preservation commissions that are consistent with Federal framework and the State's CLG program. Kaua'i, Maui and Hawai'i Counties all have local historic preservation or cultural resource commissions.

The purposes of these citizen boards are to:

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### **Historic Hawai'i Foundation**

680 Iwilei Road, Suite 690 • Honolulu, HI 96817 • Tel: 808-523-2900 • [preservation@historichawaii.org](mailto:preservation@historichawaii.org) • [www.historichawaii.org](http://www.historichawaii.org)

Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability, and economic viability of the state.



1. Encourage historic preservation at the local level;
2. Encourage local governments to follow the national standards for archaeology and historic buildings, sites, structures and districts in developing and administering their preservation programs;
3. Provide technical assistance through a partnership with the State Historic Preservation Division; and
4. Provide participating counties with funding to underwrite various historic preservation activities.

### **HISTORIC HAWAI'I FOUNDATION COMMENTS:**

The O'ahu Historic Preservation Commission can provide several specific benefits:

- The Commission can help the City with proactive identification of properties that tell the full story of Hawaii's history, not merely react to proposals brought forward piecemeal.
- The Commission would create an O'ahu historic property system for the survey, identification, and inventory of historic properties and archaeological sites. The system would be integrated into the City's Department of Permitting and Planning's (DPP) planning, application, review, and compliance system and complement the State Historic Preservation Division's (SHPD) inventory system.
- The Commission can assist with planning and design activities undertaken by City departments to ensure preservation considerations and standards are integrated from the initial concept development, thereby avoiding conflicts later in the construction or approval processes.
- The Commission would review proposed projects that may adversely impact historic properties and allows the commission to make recommendations to avoid, minimize, and mitigate adverse impacts of proposed projects on historic properties.

The City & County would benefit from retaining and implementing its Preservation Commission and enrolling in the State's Certified Local Government program. The CLG grant program can provide financial assistance for start-up projects, including a Planning for Preservation program that allows newly-established preservation commissions to work closely with a preservation specialist. CLG grants can be used for planning, survey and evaluation, preparing National Register of Historic Places nominations, developing procedures to protect properties, and for public education projects. Community Development Block Grants can be used as a match for CLG funds.

### **RECOMMENDATION**

Historic Hawai'i Foundation supports the implementation of the O'ahu Historic Preservation Commission. HHHF recommends that Council use this opportunity to recommit to its established policy and strengthen its practice of preserving, conserving and protecting historic properties for the public benefit. The landscapes, buildings and sites that we preserve are part of a community's unique character and story. They provide tangible links from the past to existing communities and provide benefit to future generations.

**Therefore, HHHF supports Bill 44 (2022).**

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#### **Historic Hawai'i Foundation**

680 Iwilei Road, Suite 690 • Honolulu, HI 96817 • Tel: 808-523-2900 • [preservation@historichawaii.org](mailto:preservation@historichawaii.org) • [www.historichawaii.org](http://www.historichawaii.org)

Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability, and economic viability of the state.



**HONOLULU CITY COUNCIL  
COMMITTEE ON HOUSING AND THE ECONOMY  
Honolulu Hale  
10:30 AM**

**September 20, 2022**

RE: Bill 44, Relating to Oahu Historic Preservation Commission

Chair Kiaaina, Vice Chair Say, and members of the Committee:

My name is Daryl Takamiya, 2022 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

**BIA-Hawaii offers the following comments regarding Bill 44, Relating to the Oahu Historic Preservation Commission.** This bill would update the ordinance regarding the Oahu Historic Preservation Commission.

While we have no objection to the Commission and its establishment and goals, we have some comments with regards to its function and impact on the current building timeline on Oahu. As the Council is aware, lengthy delays have already pushed building timelines to the limit, hampering the inventory of affordable housing on Oahu. We would like to ensure that this Commission does not add to the delays the building industry is already experiencing.

Section 5 of the Bill, revising Section 3-10.7 (g)(1) of the Revised Ordinances of Honolulu appears to duplicate actions of the State Historic Preservation Division by requiring the same review process SHPD is already required to take. We respectfully request that this section be deleted.

Allowing the Commission review authority of development applications to make recommendations to SHPD may be better accomplished in paragraph (k) of the same section, which states that the Commission "may review and comment on archaeological reports and cultural impact assessments submitted to the department as part of development proposal applications. If the commission recommends measures to mitigate adverse impacts to historic resources resulting from the project, the commission shall submit its recommendations to the State Historic Preservation Division for its consideration;"

Hawaii is in a major housing crisis, which has only worsened over time.. **The cost of housing in Hawaii is extremely high, with Oahu's median price of homes being currently over \$1 million.** It is the goal of BIA Hawaii to ensure that housing is affordable and available for our communities.

Thank you for the opportunity to share our concerns.

**LORRAINE MINATOISHI, Ph.D., AIA**

1003 Bishop Street Suite 1975  
Honolulu, HI  
96813

To: Honorable Tommy Waters, Chair; and Honorable Kia 'Aina, Vice Chair.  
From: Lorraine Minatoishi Ph.D., AIA  
Hearing: Committee on HOUSING AND THE ECONOMY (HECON)  
Subject: **SUPPORT to BILL 44**, Relating to Oahu Historic Preservation Commission

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My name is Lorraine Minatoishi and I am writing in **SUPPORT** of **BILL 44**, Relating to the Oahu Historic Preservation Commission.

I am an architect licensed in Hawaii who meets the requirements of 36 CFR § 61 SOI Qualified Architectural Historian and Historic Architect; and cares about the Historic Properties of Hawaii. I am currently serving on several volunteer committees that provide regulation oversight and engagement. Creating a type of agency that would have the power to make important design and building decisions encourages the City, State and Federal governments, and the private sector to implement appropriate management strategies, curatorship, and meaningful interpretive programs at significant historical and archaeological structures, sites, and districts similar to the boards I provide insight to.

Throughout my research and professional work in this field, I have seen the positive impacts of preserving historical buildings; and it is in the interest of our economy to preserve our small towns and important cultural artifacts.

Bill 44 does just that, it encourages the commission to advise and assist Federal, State and County government agencies in carrying out their historic preservation responsibilities. Enabling the proactive ability of providing public information, public advocacy, education, training, and technical assistance relating to the national and state historic preservation program encourages homeowners and commercial property owners to save and restore their notable buildings. This department's new commission will assist with the review of all proposed projects that may adversely impact the significance and integrity of historic properties including those identified in the Oahu historic property system and make the necessary recommendations to the State Historic Preservation Division to avoid, minimize, or mitigate adverse impact of proposed projects on historic properties. In turn, the conception of a Public Database for all Oahu Historic Property's is critical to understanding of proposed projects and future planning for the City.

In Hawaii, historic preservation is seen as a negative for developments, albeit they don't see any benefit, rather they see it as an impediment to their projects. This newly appointed board will consist of professionals who has interest in the preservation of our State's historical buildings. Of which will streamline approval processes and bring clarity to decision making. It will help Hawaii's historic features, economy, its tourism, and will help to preserve the Hawaii that we all cherish. Please support Bill 44.

Sincerely,



Lorraine Minatoishi, Ph.D., AIA

**HONOLULU CITY COUNCIL TESTIMONY**

Committee on Housing and the Economy

Bill 44 – Relating to The O’ahu Historic Preservation Commission  
Tuesday, September 20, 2022, 10:30am, via Videoconference

The Council for Native Hawaiian Advancement (CNHA) submits testimony in **SUPPORT** of Bill 44, which would amend the O’ahu Historic Preservation Commission law to help better protect our historical and cultural resources.

CNHA is encouraged by the Council’s renewed interest in the O’ahu Historic Preservation Commission. Although the enabling law was unanimously passed in 1993, to date the commission has not yet been formed. Consequently, the responsibility to preserve and protect O’ahu’s historical and cultural resources largely falls on the understaffed State Historic Preservation Division (SHPD). Bill 44 serves as a strong signal that historic preservation is a priority and that the O’ahu Historic Preservation Commission is ready to be mobilized to help protect our historical and cultural properties.

Accordingly, CNHA urges the Committee to **PASS** Bill 44.

Mahalo nui for the opportunity to provide testimony.

Respectfully,

J. Kūhiō Lewis, CEO  
Council for Native Hawaiian Advancement



# SIERRA CLUB OF HAWAI'I

HONOLULU CITY COUNCIL  
Committee on Housing and the Economy  
**Testimony in SUPPORT of Bill 44: Relating to the O'ahu Historic Preservation  
Commission**  
September 20, 2022  
10:30 a.m.

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Aloha Chair Kia'aina, Vice Chair Say, and members of the Committee on Housing and the Economy,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i offers testimony in **support of Bill 44**, to better ensure that our historic and cultural sites are protected from irreparable harm.

The Sierra Club greatly appreciates the Committee's consideration of this important measure. As the City Council has already recognized, the City's current historic preservation process has been subject to a litany of procedural and substantive issues that have continually led to the desecration and destruction of historic sites, irreversibly undermining the very foundation of our island's cultural heritage. In addition, O'ahu's decades-long lack of a historic preservation or cultural resource commission has placed an added layer of responsibility on the Department of Planning and Permitting, which lacks historic preservation expertise and institutional capacity, and which may be hampered in its other important work by having to also uphold the City's important kuleana under the state historic preservation law. Clearly, to allow the status quo system to persist will only lead to the further permanent erosion of our island's heritage; notably, such losses will only exacerbate cultural harms and traumas to the Native Hawaiian community in a time when restorative justice has been recognized as critical to not only our social fabric and moral integrity, but to the very resiliency of our islands as a whole.

Accordingly, the Sierra Club enthusiastically supports the proposal embodied in Bill 44, which will facilitate the establishment of a working historic preservation commission with the expertise, staff capacity, and authority to more consistently and efficiently fulfill the City's historic preservation kuleana, and protect our island's historic and cultural heritage from permanent erasure.

Therefore, the Sierra Club of Hawai'i respectfully urges the Committee to **PASS** this measure. Mahalo nui for the opportunity to testify.



# SIERRA CLUB OF HAWAI'I

HONOLULU CITY COUNCIL

**Testimony in SUPPORT of Bill 44: Relating to the O'ahu Historic Preservation  
Commission**

August 10, 2022

10 a.m.

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Aloha Chair Waters, Vice Chair Kia'aina, and members of the Honolulu City Council,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i offers testimony in **support of Bill 44**, to ensure our historic and cultural sites are protected from irreparable harm.

Our historic preservation law recognizes that “the historic and cultural heritage of the State is among its important assets and that the rapid social and economic developments of contemporary society threaten to destroy the remaining vestiges of this heritage.” The law accordingly relies upon interagency and intergovernmental coordination for consultation, review, and other procedural and substantive protections in decisionmaking that may impact Native Hawaiian burials, cultural sites, and other historic features. Such protections are essential to preventing the irreversible loss of a **physical and spiritual foundation for Native Hawaiian traditional values, practices, and knowledge that enabled hundreds of thousands of people to live sustainably on our islands – and that may be the key to the resilience and well-being of our current and future generations.**

Unfortunately, as highlighted by Resolution 22-36, the administration of our historic preservation law has been long plagued with chronic, systemic problems that have resulted in the irreparable loss of burials and other cultural sites and features that had been preserved for generations, forever cutting off the values, practices, and knowledge they embodied. Resolution 22-36 specifically recognized that the lack of coordination and communication between the state historic preservation division and the county department of planning and permitting is one such problem that must be addressed. Given these concerns, the Sierra Club of Hawai'i strongly appreciates and supports this bill, which would empower the long-neglected O'ahu Historic Preservation Commission to ensure that county decisions are appropriately vetted and referred to the state historic preservation division, consistent with the letter and intent of our historic preservation law.

Therefore, the Sierra Club of Hawai'i respectfully urges the Council to **adopt** this measure. Mahalo nui for the opportunity to testify.

DATE: September 20, 2022

TO: Councilmember Ester Kia'aina, Chair  
Members of the Housing and the Economy Committee

FROM: Christine Trecker

RE: Bill 44 (2022): – OAHU HISTORIC PRESERVATION COMMISSION. Amending the ordinance relating to the Oahu Historic Preservation Commission.

Good morning, Chair Kia'aina and councilmembers. I stand in **strong support** of Bill 44 to reestablish the Oahu Historic Preservation Commission.

For too long real estate interests have had an outsized impact on Oahu development decisions. The scales have tipped so far in that direction, that many citizens have become disillusioned about being able to protect and preserve Oahu's remaining historic and cultural treasures.

Sadly, the State Historic Preservation Division (SHPD) has been understaffed for years yet charged with processing two to three thousand permits a year. This heavy workload leaves SHPD little time to focus on preservation advocacy. Even so, at best, SHPD can only recommend to the approving agency that an inappropriate project be modified or not undertaken. It is the Department of Planning & Permitting that typically calls the shot on which projects are approved.

Bill 44 effectively addresses the need for an Historic Preservation Commission and highlights how such a Commission could align with SHPD to help shoulder responsibility, to eliminate redundancies or conflicts between the two entities, and to take on a more proactive advocacy role.

According to Civil Beat, Honolulu is the largest destination city in America without a historic preservation office keeping an eye on its treasured sites. ("Honolulu Lacks a Historic Preservation Commission. That May Put Some Sites at Risk." 08/21/22 Kristin Downey).

We must act now to better protect Oahu's historic resources. They are precious links connecting us with our past. Please support Bill 44.



September 19, 2022

**BOARD OF DIRECTORS**

**Chairperson**

Michael W. Beasley, Esq.

Esther Kia'aina, Chair and Members  
Council Committee on Housing & the Economy  
Honolulu City Council  
Honolulu, Hawaii 96813

**BOARD MEMBERS**

Ethan Cooper  
Alvin Pauole  
Herb Lee, Jr.  
Colette Higgins  
Brad Cooper

Dear Chair Kia'aina and Members of the Committee,

Re: Support of City Council Bill 44 Relating to the Historic Preservation Commission.

**ADMINISTRATION**

**President & CEO**

Herb Lee Jr.

**Chief Financial Officer**

Louis F. Perez II

**General Counsel**

Ethan Cooper

Aloha, my name is Herb Lee, Jr. and I am the CEO of the non-profit, Pacific American Foundation. I am writing in SUPPORT Bill 44.

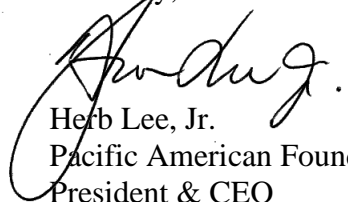
As a Native Hawaiian serving organization and a steward of many Hawaiian archeological and natural resource sites, we support further opportunities to learn, protect and preserve these sites that contribute to what makes Hawaii unique.

The roles and responsibilities outlined in the Bill 44, I believe will enhance the knowledge, review and "pono" disposition of these cultural treasures that are being threatened, ignored and forever lost from the legacy of our indigenous Hawaiian culture.

As a practicing steward for over 27 years, it is much more than the physical protection of these places, but the bio-cultural restoration process involving children, families and communities to aloha and mālama these places for generations to come. I cannot underscore enough the educational, spiritual and physical value that are being created when we understand our connection to 'āina.

Mahalo for the opportunity to share.

Sincerely,



Herb Lee, Jr.  
Pacific American Foundation  
President & CEO

Pacific American Foundation  
111 Hekili Street A 170  
Kailua, HI 96734

Phone: (808) 664-3027

[www.thepaf.org](http://www.thepaf.org)



