

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

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the House Committee on
FINANCE**

**Wednesday, March 29, 2023
2:00 PM**

State Capitol, Conference Room 308, Via Videoconference

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

Senate Bill 1535, Senate Draft 1, House 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.**

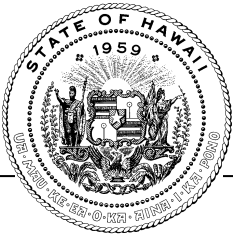
The Department's testimony is limited to the proposed exemption of certain projects from historic preservation review. The Department recognizes the need for development of projects to improve pedestrian safety. The Department believes that historic preservation review contributes only a very small portion 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, House 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, House 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, and that the House Committee on Transportation confirmed in crafting House 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
INTERIM DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

Statement of
SCOTT GLENN, Interim Director

before the
HOUSE COMMITTEE ON FINANCE

Wednesday, March 29, 2023, 2:00 PM
State Capitol, Conference Room 308

in consideration of
SB 1535 SD1 HD1
RELATING TO TRANSPORTATION.

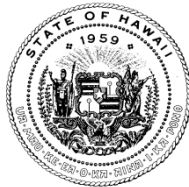
Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Office of Planning and Sustainable Development (OPSD) offers the following **comments** on SB 1535 SD1 HD1, 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 the applicability of this bill is limited 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 currently 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 29, 2023
2:00 P.M.
State Capitol, Conference Room 308 & Videoconference

S.B. 1535 H.D.1
RELATING TO TRANSPORTATION

House Committee on Finance

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

711 KAPIOLANI BOULEVARD, SUITE 1600
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

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 FINANCE
Wednesday, March 29, 2023, 2:00 PM, Via Videoconference

- TO: Representative Kyle T. Yamashita, Chair, Representative Lisa Kitagawa, Vice Chair,
and Members of the Committee on Finance
- RE: TESTIMONY IN SUPPORT OF SENATE BILL 1535, SENATE DRAFT 1, HOUSE
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, House Draft 1 (SB 1535 SD1 HD1), relating to transportation.

SB 1535 SD1 HD1 proposes to allow the director of the State Department of Transportation (HDOT) to exempt certain State and City ground transportation facility projects from historic preservation review and environmental impact statement law, 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 FINANCE
Wednesday, March 29, 2023 –2:00pm

Hawai'i Bicycling League supports SB 1535 SD1 HD1, Relating to Transportation

Aloha Chair Yamashita, Vice Chair Kitagawa, 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 HD1, 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