

**STATE OF HAWAI'I  
OFFICE OF PLANNING  
& SUSTAINABLE DEVELOPMENT**

**JOSH GREEN, M.D.**  
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**SYLVIA LUKE**  
LT. GOVERNOR

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Statement of  
**MARY ALICE EVANS, Director**

before the  
**HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS**

Thursday, February 12, 2026, 2:00 PM  
State Capitol, Conference Room 325

in consideration of  
**HB 2223, HD 1**  
**RELATING TO HISTORIC PRESERVATION REVIEWS.**

Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary & Hawaiian Affairs.

The Office of Planning and Sustainable Development (OPSD) **supports HB 2223, HD 1**, which permits the Department of Hawaiian Home Lands (DHHL) to conduct a review of the effect of a proposed project on lands under its jurisdiction on historical properties and burial sites, subject to certain requirements.

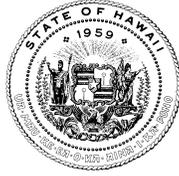
Currently, the requirement to consult with the State Historic Preservation Division (SHPD) for every project can create significant administrative bottlenecks. Allowing DHHL to perform these reviews internally through qualified specialists accelerates the permitting process while maintaining rigorous historic and cultural preservation goals. This decentralized approach ensures that reviews are conducted by experts who are intimately familiar with the specific cultural landscapes of DHHL lands and relieves SHPD of some of its administrative workload, fostering a review process that is both more efficient and more culturally informed.

The acceleration of this process is directly aligned with Governor Green's housing initiatives and the Ke Ala Hou strategy, which prioritizes the rapid delivery of homes to the people of Hawai'i. For DHHL beneficiaries, many of whom have waited decades for homestead awards, time is of the essence. By reducing the wait times associated with historic preservation clearances, the State can more quickly deploy the historic funding allocated for Hawaiian Home Lands and break ground on critical residential developments. Expediting these foundational reviews is not just an administrative improvement, but a necessary step to fulfilling the State's fiduciary duty to native Hawaiians and meeting our broader housing production targets. For these reasons, OPSD respectfully asks the committee to pass HB 2223, HD 1.

Thank you for the opportunity to testify in support of this measure.

JOSH GREEN, M.D.  
GOVERNOR  
STATE OF HAWAII  
*Ke Kia'āina o ka Moku'āina 'o  
Hawai'i*

SYLVIA J. LUKE  
LT. GOVERNOR  
STATE OF HAWAII  
*Ka Hope Kia'āina o ka Moku'āina  
'o Hawai'i*



KALI WATSON  
CHAIRPERSON, HHC  
*Ka Luna Ho'okele*

KATIE L. LAMBERT  
DEPUTY TO THE CHAIR  
*Ka Hope Luna Ho'okele*

**STATE OF HAWAII**  
**DEPARTMENT OF HAWAIIAN HOME LANDS**  
*Ka 'Oihana 'Āina Ho'opulapula Hawai'i*

P. O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIR  
HAWAIIAN HOMES COMMISSION  
BEFORE THE HOUSE COMMITTEE ON  
JUDICIARY & HAWAIIAN AFFAIRS  
ON FEBRUARY 12, 2026 AT 2:00PM IN CR 325

**HB2223, HD1, RELATING TO HISTORIC PRESERVATION REVIEWS**

February 12, 2026

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee:

The Department of Hawaiian Home Lands (DHHL) **supports** this bill which 1) permits DHHL to conduct a review of the effect of a proposed project on lands under its jurisdiction on historical properties and burial sites, subject to certain requirements and 2) appropriates funds.

This measure was approved by the Hawaiian Homes Commission to be included in DHHL's Legislative Package. DHHL is currently required to consult with the Department of Land and Natural Resources State Historic Preservation Division (DLNR-SHPD) for all DHHL projects. The intent of this bill is to streamline the historic preservation review process with timeliness and efficiency by allowing DHHL to assume this review responsibility given certain requirements. HB2223, HD1, would alleviate DLNR-SHPD from the responsibility of assuming historic preservation review for DHHL, while ensuring that DLNR-SHPD shall remain informed and copied by DHHL on all reports, maps, and documents to be incorporated into DLNR-SHPD's historic preservation digital document management system. The appropriation request for four (4) full-time equivalent positions would be used to hire a historic preservation specialist, archaeologist, architectural historian, and cultural historian to fulfill this important kuleana (responsibility) for DHHL.

Thank you for your consideration of our testimony.

**HB-2223-HD-1**

Submitted on: 2/11/2026 2:46:29 PM

Testimony for JHA on 2/12/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shelby "Pikachu" Billionaire	Kingdom of The Hawaiian Islands & Ohana Unity Party	Support	Remotely Via Zoom

Comments:

Pikachu Approves & am full Support, because "STONE COLD" Said So!

Smile, if you actually read this testiomy! (^ 0 ^)

Love ❤️ Plkachu

Shelby Billionaire

**HB-2223-HD-1**

Submitted on: 2/11/2026 6:06:57 PM

Testimony for JHA on 2/12/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mahealani Cypher	Ko`olau Foundation	Support	Written Testimony Only

Comments:

Aloha!

The Ko`olau Foundation supports H.B. 2223 and urges its passage out of committee.

**HB-2223-HD-1**

Submitted on: 2/12/2026 3:56:47 AM

Testimony for JHA on 2/12/2026 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Young	CARES	Support	Remotely Via Zoom

Comments:

Support.

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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
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KA 'OIHANA KUMUWAIWAI 'ĀINA  
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DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
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RYAN K.P. KANAKA'OLE  
FIRST DEPUTY  
CIARA W.K. KAHAHANE  
DEPUTY DIRECTOR - WATER  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
RYAN K.P. KANAKA'OLE  
Acting Chairperson**

**Before the House Committee on  
JUDICIARY & HAWAIIAN AFFAIRS**

**Thursday, February 12, 2026  
2:00 PM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 2223, HOUSE DRAFT 1  
RELATING TO HISTORIC PRESERVATION REVIEWS**

House Bill 2223, House Draft 1, would amend Hawaii Revised Statutes (HRS) §6E-8(f) to permit the Department of Hawaiian Home Lands (DHHL) to conduct its own historic property review of any proposed project on lands under its jurisdiction that has the potential to affect historic properties or burial sites. **The Department of Land and Natural Resources (Department) has concerns with the proposed HRS §6E-8 amendments and submits the following comments for consideration.**

HRS Chapter 6E provides the framework for a comprehensive statewide historic preservation program in Hawai'i. A key part of this framework is the review of projects on public lands to assess their impact on historic properties, as required by HRS §6E-8. The proposed statutory amendment allows DHHL to conduct their own historic preservation reviews, hire or contract a fee for service consultant, and self-certify the impact of their projects on historic properties listed in or eligible for listing in the Hawai'i Register of Historic Places (HRHP). It also requires that DHHL share information with the department related to the identification and documentation of historic properties and iwi kupuna. Despite these provisions, the amendment proposed does adequately substitute the historic preservation review process that currently exists under HRS §6E-8. Specifically:

- HRS §6E-8(f)(1)(A) and (B) does not adequately identify the professional qualifications DHHL staff or their service consultant(s) will be required to maintain. The historic preservation review process requires employment of subject-matter experts in architecture, archaeology, as well as history and culture. Any department seeking to establish their own historic preservation program should be required to

maintain staff in each of these areas and meet professional qualification standards established under HAR §13-281. If such employment is unfeasible for DHHL, it is important for the proposed amendment to clarify that they would not be able to implement HRS §6E-8(f); instead, they would be required to revert to the normal historic preservation review process outlined at §6E-8(a) until such a time as they are able.

- Additionally, it is unclear what administrative rules DHHL would be operating under to implement their historic preservation program or if they will be held to the same standards as other state departments. If DHHL is required to write their own administrative rules, they should establish the same rigorous standards and framework identified at Hawai'i Administrative Rules (HAR) §13-275.
- The proposed measure does not appear to take into consideration previously agreed upon programmatic approaches to the HRS §6E-8 historic preservation process, negotiated between DHHL and the Department in a Memorandum of Agreement (MOA), which are in the process of being executed. The intent of the existing MOA is to expedite and streamline DHHL's responsibilities under HRS §6E-8 while maintaining their responsibility to consider historic properties and iwi kupuna. The existing MOA establishes a customized set of historic property survey standards and monitoring provisions, identifies appropriate treatment measures for both new construction and historic properties within entitlement communities to avoid or minimize effects to historic resources and iwi kupuna, determines appropriate mitigation measures when historic properties cannot be avoided, as well as identifies appropriate professional qualification standards for DHHL staff or their service consultant that are consistent with HAR §13-281.
  - The only difference between the existing programmatic approach and the proposed measure is: (1) DHHL is required to report the projects they've completed under the MOA to the Department in an annual report; (2) DHHL is required to submit all surveys to the department for review and concurrence (not just for the purposes of sharing information); and, (3) DHHL is required to consult with the Department on only those projects that will result in affects to historic properties.

The Department recognizes the desire for DHHL to internalize the historic preservation review process and has no objection to further amending or expanding upon the programmatic approach we've been working to execute. However, amending HRS §6E-8 to establish internalized processes for departments within the State creates inconsistent and duplicative efforts for concerns that may be resolved within the existing statute. The measure, if repeated, will likely cause confusion, inconsistent identification and treatment standards for historic properties and iwi kupuna, as well as an incomplete sensitivity dataset and understanding of the historic properties that remain within Hawai'i.

Mahalo for the opportunity to comment on this measure.