

LAHAINA NATIONAL HERITAGE AREA STUDY ACT

NOVEMBER 26, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 8219]

The Committee on Natural Resources, to whom was referred the bill (H.R. 8219) to require the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Lahaina National Heritage Area, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lahaina National Heritage Area Study Act”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (2) STATE.—The term “State” means the State of Hawaii.
- (3) STUDY AREA.—The term “study area” means the census-designated place of Lahaina in Maui County in the State.

SEC. 3. LAHAINA NATIONAL HERITAGE AREA STUDY.

The Secretary, in coordination with the County of Maui and in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, shall carry out, in accordance with section 120103(a) of title 54, United States Code, a study to assess the suitability and feasibility of designating the study area as a National Heritage Area, to be known as the “Lahaina National Heritage Area”.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 8219 is to require the Secretary of the Interior to conduct a study to assess the suitability and feasibility of

designating certain land as the Lahaina National Heritage Area, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The town of Lahaina, located in Maui County, Hawaii, has a rich and storied history. The former capital of the Hawaiian Kingdom under King Kamehameha I and his successors from 1820 to 1845, Lahaina was historically an economic and tourism hub with incalculable cultural and historic significance for the people of Hawaii.¹ The downtown Lahaina Historic District held numerous cultural sites, including the Lahaina Jodo Mission (a Buddhist temple), Pioneer Inn (the oldest hotel in Lahaina), Waiola Church, and Old Courthouse.² Lahaina is also famous for its 150-year-old Banyan Tree, considered the largest in the country, which remains at the center of town.³

Unfortunately, on August 8, 2023, a wildland fire catastrophically damaged Lahaina and became the deadliest wildfire in over a century.⁴ The scenic waterfront, including much of the city center that served as a symbol of the town's illustrious history, was left unrecognizable. Ultimately, the fire destroyed more than 2,200 structures and caused approximately \$5.5 billion in damages.⁵ Many of the damaged and destroyed structures lost dated back centuries and held immeasurable value to Lahaina's people and culture.

As the town continues to recover from the trauma of a devastating natural disaster, local leaders have explored options that would allow the community to honor its past while promoting its natural and cultural resources post-fire. H.R. 8219 would require the Secretary of the Interior, in consultation with state and local partners, to study the suitability and feasibility of designating the town of Lahaina as a National Heritage Area (NHA). A feasibility study is generally the first step of an NHA designation and ensures that the designated area meets the appropriate criteria. Under the "National Heritage Area Act," studies must assess whether an area's resources reflect aspects of American heritage, whether an area would benefit from public-private management, and which entities would be capable of working together to support the proposed heritage area.⁶ Once designated, NHAs allow local coordinating entities to promote regional tourism and invest in projects that improve visitor experiences.

COMMITTEE ACTION

H.R. 8219 was introduced on May 1, 2024, by Rep. Jill Tokuda (D-HI). The bill was referred to the Committee on Natural Re-

¹ Lahaina Town, "Lahaina Timeline", <https://lahainatown.com/lahaina-history.php>.

² *Id.*

³ Timmy Broderick, "Why a Banyan Tree Damaged in the Maui Wildfire Was So Beloved," *Scientific American*, August 15, 2023, <https://www.scientificamerican.com/article/why-a-banyan-tree-damaged-in-the-maui-wildfire-was-so-beloved/>.

⁴ "Lahaina fire becomes deadliest in the U.S. in over 100 years as death toll rises to 93," PBS, August 13, 2023, <https://www.pbs.org/newshour/nation/lahaina-fire-becomes-deadliest-in-the-u-s-in-over-100-years-as-death-toll-rises-to-93>.

⁵ "Preliminary After-Action Report: 2023 Maui Wildfire," U.S. Fire Administration, February 8, 2024, <https://www.usfa.fema.gov/blog/preliminary-after-action-report-2023-maui-wildfire/#:-:text=The%20disaster&text=8%2C%202023%2C%20wind%2Ddriven,than%20100%20lives%20were%20lost>.

⁶ Pub. Law No. 117-339, <https://www.congress.gov/117/plaws/publ339/PLAW-117publ339.pdf>.

sources, and within the Committee to the Subcommittee on Federal Lands. On June 27, 2024, the Subcommittee on Federal Lands held a hearing on the bill. On September 19, 2024, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 8219 by unanimous consent. Rep. Joe Neguse (D-CO) offered an amendment designated Neguse #1. The amendment was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on June 27, 2024.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the bill the “Lahaina National Heritage Area Act”.

Section 2. Definitions

Section 2 defines important terms in the bill including “Secretary,” as the Secretary of the Interior; “State,” as the State of Hawaii; and “Study Area,” as the census designated place of Lahaina in Maui County.

Section 3. Lahaina National Heritage Area study

Section 3 directs the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating Lahaina, Hawaii as a National Heritage Area in consultation with state and local entities, including Maui County, and in accordance with the National Heritage Area Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to require the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Lahaina National Heritage Area, and for other purposes.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 8219 would make no changes in existing law.