

STAND. COM. REP. NO.

1765

Honolulu, Hawaii

, 2025

APR 02

RE: S.B. No. 1263
S.D. 2
H.D. 3

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1263, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize lead agencies, including county governments, to make determinations on the potential effects of a project;
- (2) Create a ninety-day limit, or thirty-calendar-day limit if no historic properties are affected, for the Department of Land and Natural Resources to concur or not concur with project effect determinations;
- (3) Exempt projects with written concurrence from further review unless there is a change to the project or additional historic properties, aviation artifacts, or burial sites are identified within the project area; and
- (4) Create a process for expediting the review of majority-residential mixed-use transit-oriented development or residential transit-oriented development on certain

2025-3017 SB1263 HD3 HSCR HMSO



parcels and rights-of-way within county-designated transit-oriented development zones that have a low risk of affecting historically significant resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Housing Finance and Development Corporation; Hawai'i Community Development Authority; Hawai'i Association of REALTORS; Oahu Metropolitan Planning Organization; Holomua Collaborative; Grassroot Institute of Hawaii; NAIOP Hawaii; and Hawai'i YIMBY. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that the State's ongoing housing crisis is resulting in an outmigration of local residents to the mainland. Accordingly, the State must implement policies and programs that allow for housing to be built in a manner and on a scale that is affordable and attainable for local working families, particularly in transit-oriented development districts.

Your Committee further finds that the State Historic Preservation Division's lengthy review process has been a bottleneck in the development process for affordable housing, which delays construction and ultimately results in increased costs. This measure streamlines the review of majority-residential mixed-use transit-oriented development or residential transit-oriented development in certain areas, while also including safeguards that allow the State Historic Preservation Division to continue its crucial role in preserving and protecting the State's important historical and cultural property.

Your Committee has amended this measure by:

- (1) Clarifying that if the Department of Land and Natural Resources requires additional information or clarification regarding the physical, rather than project, scope of work, then the Department is required to notify the applicant and specify the information needed; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1263, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1263, S.D. 2, H.D. 3.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



