

STAND. COM. REP. NO. 600

Honolulu, Hawaii

FEB 13 , 2025

RE: H.B. No. 738  
H.D. 2

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

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 738, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Create a process for expediting the review of majority residential mixed-use transit-oriented development or residential transit-oriented development on certain parcels within county-designated transit-oriented development zones that have a low risk of affecting historically significant resources;
- (2) Further empower lead agencies, including county agencies, to make determinations on the potential effects of a project;
- (3) Create a ninety-day or thirty-day limit, as applicable, for the Department of Land and Natural Resources to concur or not concur with project effect determinations; and



- (4) Ensure that projects with written concurrence are exempt from further review unless there is a significant change to the project.

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

Your Committee finds that the historic preservation review process is necessary to preserve Hawaii's cultural resources, including historic properties and burial sites. Your Committee further finds that expediting the historic review process for transit-oriented development projects located in areas that have previously been surveyed and found to pose a low risk to historically significant resources will allow the State to address the ongoing housing crisis while still ensuring vital elements of the State's heritage are protected and preserved.

Your Committee has amended this measure by:

- (1) Establishing a notice and reporting requirement if a change in the project's physical scope or project area or if additional historic properties or aviation artifacts are discovered in the project area after the initial written concurrence is issued;
- (2) Providing for the treatment of burial sites inadvertently discovered after the initial written concurrence is issued; and
- (3) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 738, H.D. 1, as amended herein, and recommends that it be referred



to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 738, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Water & Land,



MARK J. HASHEM, Chair



