

Honolulu, Hawaii

FEB 06 , 2026

RE: H.B. No. 1710
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.B. No. 1710 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 the State Historic Preservation Division to conduct a phased review of a proposed project on private property under certain circumstances; and
- (2) Amend the process and deadlines by which the State Historic Preservation Division must provide written concurrence or non-concurrence for a proposed project on private property or other project that requires entitlement for use, after which concurrence may be assumed and the project may proceed.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Hawai'i Association of REALTORS; Maui Brewing Co.; Grassroot Institute of Hawaii; NAIOP Hawaii; and three individuals. Your Committee received testimony in opposition to this measure from the Sierra Club of



Hawai'i; Kia'i Iwi Alaka'i; and four individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure is a direct outgrowth of the concerted efforts of the Simplifying Permitting for Enhanced Economic Development (SPEED) Task Force established by Act 133, Session Laws of Hawaii 2025. Your Committee further finds that this measure would help clarify and streamline the historic preservation review process by establishing a clear and consistent standard for what constitutes a complete submittal to the State Historic Preservation Division, which would materially improve predictability for the State, counties, and private property owners.

Your Committee has amended this measure by:

- (1) Specifying that if circumstances dictate that construction, alteration, disposition, routine maintenance, or improvement of private property be done in stages or repeatedly executed to ensure the preservation of historic properties, the Department of Land and Natural Resources' (DLNR) review may be based on a phased review of the project or long-term maintenance of the property; provided that there is a programmatic agreement executed among DLNR, the property owner, and any project proponent that identifies each phase and the estimated timeline of each phase or the long-term and repeated maintenance activities that are required to preserve the historic property;
- (2) Requiring DLNR to provide written concurrence or non-concurrence within ninety calendar days, or within thirty calendar days if no historic properties are adversely affected by the proposed construction, alteration, disposition, or improvement, after DLNR has processed a complete submittal filed by the property owner;
- (3) Requiring DLNR to certify a complete submittal within five business days of its filing by a property owner;
- (4) Providing that if DLNR fails to provide written concurrence or non-concurrence within ninety calendar



days, or within thirty calendar days if no historic properties are adversely affected by the proposed project, after receiving and certifying a true and complete submittal from the property owner, the property owner may assume DLNR's concurrence for the proposed project;

- (5) With respect to DLNR's review of proposed projects of state and county agencies, requiring DLNR to provide written concurrence or non-concurrence within ninety calendar days after the filing of a request with the DLNR;
- (6) With respect to DLNR's review of proposed projects of state and county agencies, providing that if DLNR fails to provide a written concurrence or non-concurrence with a project effect determination within ninety calendar days of receiving a true and complete submittal for a project, the lead agency may assume DLNR's concurrence and the project may move to the next step in the compliance process;
- (7) Extending from January 1, 2026, to January 1, 2028, the deadline by which the counties and Hawaii Community Development Authority must work with DLNR to identify and submit to DLNR specific parcels and rights-of-way in proximity to mass transit stations where a majority-residential mixed-use transit-oriented development, a residential transit-oriented development, or infrastructure is specifically consistent with a comprehensive general plan;
- (8) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (9) 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. 1710, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1710, H.D. 1, and be referred to your Committee on Housing.



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



MARK J. HASHEM, Chair



