

**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
THEODORE E. LIU
Director
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND
AFFORDABLE HOUSING**
AND
SENATE COMMITTEE ON WAYS AND MEANS

Tuesday, April 1, 2008
9:00 AM
State Capitol, Conference Room 229

**HB 2863, HD2, SD1
RELATING TO RENEWABLE ENERGY.**

Chairs Baker and Kokobun, and Members of the Committees.

The Department of Business, Economic Development and Tourism supports this bill as drafted, but with the following recommended amendments.

HB 2863, HD2, SD1 establishes the Energy Resources Coordinator in a coordination role for a consolidated permitting application process for renewable energy facilities. SD1 has dealt with the concerns previously expressed by some testifiers and preserves the authority of the State and County agencies to review and approve applicable permits under their respective jurisdictions. The Coordinator's role under the amended measure is to:

(1) Consult with appropriate State and County agencies to develop and establish a consolidated application;

(2) Receive a consolidated application, in a form as the Coordinator shall prescribe, from an applicant for the approval of the siting, development, construction, and operation of a renewable energy facility, with an appropriate initial application fee as determined by the Coordinator;

(3) Identify all State and County permits necessary for approval of the renewable energy facility;

(4) Assist in the permit application process by coordinating permitting processes, giving technical assistance, overseeing the creation of the permit plan, and providing general oversight to facilitate the successful and expedient permitting of the siting of a renewable energy facility;

(5) Gather from the applicant any information the Coordinator finds relevant and necessary for the reviewing and processing of a permit application by the Federal, State, and County agencies; and

(6) Work with the Federal, State, and County agencies and the applicant to determine the terms and conditions of the permits that are necessary to effectuate this measure and to protect the public health and safety and promote the general welfare.

This bill, along with HB 2862, HD2, SD1 and HB 2505, HD2, SD1, in our view, represents a set of the most important energy initiatives being taken up by the Legislature this session. These measures recognize that for decades permitting is one of the key barriers to the development of renewable energy projects in Hawaii. U.S. Department of Energy consultants experienced in funding large energy projects have noted Hawaii's reputation in the financial community as being among the most difficult states to get projects permitted in a timely and predictable fashion. This poses a tremendous barrier for significant capital investment in the State's drive to a renewable energy future, as expressed by the goal of 70% renewable energy for the Hawaii Clean Energy Initiative. Providing a workable process that *balances* the protection of

our precious environment and 'aina while providing predictability to the renewable project development process is a critical step for Hawaii's energy future.

There are several key concepts that we recommend for this measure. They are (i) aligning authority with responsibility, and (ii) balancing “carrots” and “sticks”. The following three amendments are recommended with these concepts in mind.

1. Although somewhat implicit in this measure, we recommend that the bill explicitly include authority for the Coordinator to convene meetings with State and County permitting agencies in order to develop, refine and implement the consolidated application and the permit plan. The measure should also require the State and County permitting agencies to respond to the Coordinator's authority to convene. There is precedent for this type of authority to convene in the department's facilitated application process under Chapter 201-62, Hawaii Revised Statutes. Inclusion of this type of authority to convene specifically for renewable project siting and permitting will assist in the implementation of this measure.

2. In our view, the most significant omission in HB 2863, HD2, SD1 is the lack of a “buzzer” on the permitting process; that is, a mechanism creating certainty in the face of a permit languishing within an agency due to inattention, inability or unwillingness to make a decision. We believe that the technical assistance cost-reimbursement process in this measure is a “carrot” allowing for “surge capacity” in the forms of technical support and assistance to the permitting agencies. This mechanism, together with the hand-on coordination and communication by the coordinator should enable State and County agencies to complete the permitting plan. A timeline, agreed upon *up-front* by all agencies, extendible by the coordinator in the case of valid delays, should allow for the agency to complete its review and issuance of a permit. Should an agency, under the foregoing conditions provided by this measure, fail to diligently work on and issue the permit, the Coordinator should be authorized to determine that the permit be issued.

We believe to be a critical element of a successful consolidated permitting process. It is not our intention that the Coordinator uses this “buzzer” authority. We believe having it in the bill will provide the complementary “stick” to the “carrots” provided in therein.

3. This critical consolidated application and permit plan process needs to be provided with proper resources. Otherwise, in our view, this becomes an “empty promise” for the public and for renewable energy project sponsors. The current version mentions a cost reimbursement agreement, but provides no details. We recommend including specific language that allows for the process where developers may reimburse the State which will in turn reimburse agencies for analysis or technical assistance required for specific processes. Cost reimbursements only apply to specific projects. Funding for a renewable energy facilitator position was included in the Executive’s Supplemental Budget and is now reflected in HB 2505, HD2, SD1. To accomplish the departmental start-up and administrative work delineated in this bill, that is not allocable to any specific project, will require an additional \$250,000 for FY2009. We request that this appropriation not displace the priorities contained in the Executive’s Supplemental Budget.

4. From our discussions with the Department of Human Resources Development, we recommend the following amendments to pages 4 and 5:

"The Energy Resources Coordinator may employ and dismiss staff without regard to chapters 76 and ~~89~~ to assist the coordinator in the implementation of this chapter. The salary of each staff member shall be set by the coordinator." The reference to Chapter 89 is unnecessary, as exempt hires are "at-will" employees.

"Each staff member shall be entitled to participate in any public employee benefit program plan or privilege, as may be allowed by federal and state laws." This language avoids any potential problems with various benefits laws.

"The coordinator may also contract ~~persons~~ services, without regard to chapter 76, to assist the coordinator in the implementation of this chapter." Changing "persons" to "services" provides for clarity and alignment with the state's procurement laws. Adding the reference to Chapter 76 avoids any potential issues regarding the legality of contracting for such services.

5. Finally, DBEDT strongly believes that the process established in this bill should be helpful to medium-sized renewable energy projects as well. We prefer that the 200MW threshold be reduced or that the coordinator be allowed to use its discretion in employing a consolidated process for smaller projects. Experience has shown that projects as small as twenty-one megawatts could have benefited from a coordinated process, and the cost-reimbursement element provides an appropriate limitation to the expenditure of appropriated funds for such projects.

Thank you for the opportunity to offer these comments.



100 Kahalu Avenue
Mililani, Hawai'i 96789-3997
P.O. Box 898900
Mililani, Hawai'i 96789-8900
(808) 548-4811 • Fax (808) 548-6670

Testimony by Castle & Cooke Hawaii
Before the Committees on Commerce, Consumer Protection
and Affordable Housing and Ways and Means

April 1, 2008
9:00 am
Room 229

HB 2863, HD2, SD1 Relating to Renewable Energy

Chairs Kokubun and Baker, Vice Chairs Ige and Tsutsui, and members of the committees: I am Tim Hill, Executive Vice President, Castle & Cooke Lanai Renewable Energy Programs; **here to express our strong support for HB 2863, in its original form, with the following suggested amendments, that establishes an inter-island renewable energy facility siting process.**

At section -8, **clarify that public hearings will be held** by removing the language stating "provided that the state or county agency shall not be required to hold the public hearing unless required to do so by federal law" as well as the language stating "hold one consolidated public hearing". The new section (a) should state:

If a federal, state, or county law requires a state or county agency to hold a public hearing on a permit application before making a decision on the permit, the coordinator shall hold the public hearing in place of the state or county agency within the sixty-day period set forth in Section -5(a). To the extent practicable, the coordinator shall consolidate public hearings to cover all permit applications and required public hearings.

Pursuant to STAND. COM. REP. NO. 1029-08, items (1) thru (3):

In section -1, include:

"Delegated environmental permit" means an air or water quality permit subject to issuance by the department of health under authority delegated by the United States Environmental Protection Agency.

In section -1, change the definition of power purchase agreement to:

"Power purchase agreement" means an agreement between a renewable energy facility owner and a public utility on the sale of electricity produced by the facility to the public utility.

In section -1, clarify the definition of state permit to:

"State permit" means a permit that is subject to the approval of a state agency pursuant to federal or state law; **except that the term does not include a delegated environmental permit.**

This amendment will ensure that the Department of Health's concerns that their permit authority for air and water quality permits, delegated from the Federal Environmental Protection Agency cannot be delegated are addressed.

Also, pursuant to STAND. COM. REP. NO. 1029-08, item (4):

In section -16, SECTION 5, amend HRS Section 269-27.2(c) to:

- Change all of the deadlines from thirty days to sixty days; and
- ADD the following paragraph at the end of SECTION 5:

For the purpose of this section, (1) the sixty-day period for commission determinations shall be subject to extension by the commission for reasonable cause and for a reasonable time as necessary, but in no event later than the six month deadline for processing of Permits by the energy resources coordinator referred to in Section 3 of Chapter __, and (2) "renewable energy facility owner" means the owner or authorized agent of the owner of a renewable energy facility as defined in section -1."

This amendment will clarify the PUC's authority over power purchase agreements and ensure that the PUC has discretion over establishing an expedited process.

Furthermore, in section -3, amend the general duties of the coordinator to include:

(1) Implement and further state policies and the compelling state interest in developing indigenous renewable energy resources and decreasing Hawaii's dependency on imported fossil fuels in furtherance of energy self-sufficiency, energy security and reduction of greenhouse gas emissions through coordination, concurrent approval processes, elimination of redundancy in the permitting process, clear and fair deadlines and other efficiencies in processes and procedures established pursuant to the authority given to the coordinator in this Chapter. The coordinator shall have the power and authority, which shall be liberally construed, necessary to implement and further the state renewable energy policies, mandate and compelling interest in expediting the development of renewable energy facilities, while ensuring, and not circumventing, opportunity for public

review and comment, mitigating potential environmental and other impacts from renewable energy projects and protecting the public's health, safety and welfare. In furtherance of this intent, the coordinator shall have the power and authority, as provided under this Chapter, to receive, accept, review, coordinate and approve all applications for Permits necessary for the development of a renewable energy facility on an expedited basis. The coordinator shall coordinate and process Permits concurrently, and shall take not longer than six months following receipt of a completed consolidated application to complete the review and approval of any such application and all Permits relating thereto, subject only to final acceptance of an environmental assessment and/or environmental impact statement as may be required under Chapter 343.

(2) Receive and accept a consolidated application, in a form as the coordinator shall prescribe as required under Section -15, for the approval of the siting, development, construction, and operation of a renewable energy facility. Within ten days following receipt of an application or an amendment or supplement thereto, the coordinator shall give written notice to the applicant as to the coordinator's acceptance of the application, amendment or supplement, or as to any deficiencies relating thereto;

In section -4, sub (a), amend the consolidated application section as follows:

The coordinator shall establish a consolidated application in accordance with Section -15 and require the applicant to pay a fee with the consolidated application. The coordinator shall establish the staffing for the consolidated application and set the fee at an amount mutually agreed upon by the applicant and the coordinator, but sufficient to cover not more than the reasonable, actual and direct costs and expenses of the coordinator, coordinator's staff and contractor, and relevant state and county agencies to provide input and advice on the state and county permits applicable and necessary for and directly related to the applicant's facility. Upon receipt of the fee or periodically thereafter, the coordinator shall transmit to each relevant state or county agency the portion of the fee that reflects the cost to that state or county agency for providing its input, review and advice.

In section -5, sub(a) and b), amend the approval of state permits process as follows:

(a) When the coordinator receives an application for a renewable energy facility that requires state permits, concurrently with the determinations and processes of the coordinator under Section 6(a) and the other sections of this Chapter and within the sixty days following receipt of a completed consolidated application, the coordinator, after consultation with relevant federal, state, and county agencies, shall determine the terms and conditions to be imposed on the state permits that are necessary to protect the public

health, safety and welfare to the extent practicable without unduly delaying, impairing or frustrating the purposes, policies and goals of this chapter. The terms and conditions may require the applicant to improve off-site infrastructure or establish measures to mitigate significant adverse environmental effects, but only to the extent directly caused by the applicant's renewable energy facility.

The coordinator shall make the determination for all terms and conditions of all required state permits no later than sixty days after receipt of a completed consolidated application; provided that, if an approval for a federal permit or delegated environmental permit, or acceptance of an environmental assessment or environmental impact statement, is a prerequisite to the approval of a state permit required for the facility, the coordinator's determination shall be made, but its effectiveness shall be conditioned upon approval of the federal permit, delegated environmental permit and/or acceptance of the environmental assessment or environmental impact statement, as applicable.

(b) Immediately upon determining the necessary terms and conditions under subsection (a), the coordinator, on behalf of the relevant state agencies, shall approve the state permits with those terms and conditions. The approval shall take effect on the sixty-first day after the coordinator's acceptance of a completed consolidated application; provided, however, that, if an approval for a federal permit or delegated environmental permit, or acceptance of an environmental assessment or environmental impact statement, is a prerequisite to the approval of a state permit required for the facility, the approval shall be conditioned upon and made effective one business day following the approval of the federal permit, delegated environmental permit and/or acceptance of the environmental assessment or environmental impact statement, as applicable. If a judicial proceeding has been timely initiated under section 343-7(c) regarding the acceptance of the statement, the state permits shall be subject to the order entered with the final judicial decision on the dispute. The coordinator may publish the coordinator's approval of all state permits in one consolidated document.

In section -7, amend the coordination with federal permits section as follow:

(a) Concurrently with the sixty-day period set forth in Section -5(a), the coordinator shall establish and implement a system to coordinate the approval of required federal permits with state and county permits for a renewable energy facility. The system shall include a process for coordinating the federal environmental impact statement process with the state environmental impact statement process, such that they run concurrently with each other and with the state and county permitting processes.

(b) The coordinator also shall establish and implement a system to coordinate and concurrently process the issuance of delegated environmental permits by the department of health with approval of state and county permits for a renewable energy facility.

(c) The coordinator may convene interagency working groups for the purpose of this section.

In section -11, amend the power purchase agreement section as follows:

Power purchase agreement not a state permit under this chapter;
Coordination of efforts. A power purchase agreement between a renewable energy facility owner and a public utility shall not be a "permit" subject to approval by the coordinator. Any power purchase agreement shall be subject to the applicable provisions of chapter 269. However, the coordinator shall establish and implement a system to coordinate and concurrently process the review and approval by the public utilities commission of any power purchase agreement for electricity generated by a renewable energy facility. The coordinator may convene an interagency working group for the purpose of this section.

In section -13, sub (a), amend the judicial review section as follows:

Any person aggrieved by the approval of a state or county permit or term or condition of any approved permit may file an action for relief in the circuit court. Notwithstanding any other provision of this chapter to the contrary, for the purposes of bringing judicial action under this subsection, the term "person aggrieved" shall include the applicant and any state or county agency, office, council or other government entity which has decision making authority related to the approved permit. Other parties, pursuant to court action, may be adjudged aggrieved.

On behalf of Castle & Cooke, I ask for your support for the concept of HB 2863 in its form with several amendments. Mahalo and thank you for your consideration of our testimony.



**Committee on Commerce, Consumer Protection and
Affordable Housing
Committee on Way and Means
Hawaii State Senate
April 1, 2008
House Bill 2863 HD2, SD1 (in support)
*Written Testimony Only***

Chair Kokubun, Chair Baker, and members of the Committees, my name is David Leonard and I am the Chief Operating Officer of Imperium Renewables Hawaii. We are part of the nation's leading producer of environmentally-friendly biodiesel fuel. We are currently running a R&D facility in Seattle focused on next-generation feedstocks such as algae, and have the nation's largest biodiesel processing facility in Grays Harbor, Washington that is currently running on canola oil feedstock.

Imperium Hawaii has been making exciting progress in permitting and designing a major biodiesel production facility at Kalaeloa Barbers Point Harbor. This sister facility to Grays Harbor will make a significant contribution to Hawaii's renewable, sustainable and independent energy future. We would like to thank the City and County of Honolulu, the Department of Transportation-Harbors Division, the Board of Land and Natural Resources, DBEDT and the Hawaii Department of Health for their assistance in the permitting and leasing process for our Hawaii facility.

We have been continuously working on obtaining the necessary permits for our Hawaii facility since late in 2006. Despite our relative success in Hawaii with our permitting process, we strongly believe that House Bill 2863 HD2, SD1 would have been of great benefit to us. We went through a similar permitting process in Washington State under a similar program as provided in House Bill 2863 HD2, SD1 and the Washington program made a big difference. Imperium Hawaii strongly supports this bill as it will help Hawaii achieve its goals of being more energy independent as soon as possible for all forms of alternative energy, including biodiesel.

Biodiesel is a clean-burning alternative fuel made from oils derived from agricultural crops and can be used in any conventional diesel engine. It can be used in pure form (100% biodiesel) or in a "blended" form, in which it replaces a percentage of petroleum diesel. A U.S. Department of Energy study determined that biodiesel reduces carbon dioxide emissions by more than 50%, compared to petroleum diesel. Imperium's high quality fuel meets or exceeds ASTM D-6751 specifications.

Thank you for the opportunity to testify.

A handwritten signature in black ink, appearing to read "David Leonard", with a long, sweeping underline.

testimony

From: Sally Kaye [skaye@runbox.com]

Sent: Monday, March 31, 2008 1:16 PM

To: testimony

Subject: RE: HB 2863 HD2, SD1/ Committees on Commerce, Consumer Protection, Affordable Housing and Ways and Means, Hearing 4/1 at 9 a.m.

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND AFFORDABLE HOUSING

Senator Russell S. Kokubun, Chair; Senator David Y. Ige, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair; Senator Shan S. Tsutsui, Vice Chair

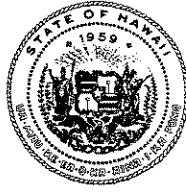
All efforts by government and private entities to reduce reliance on imported fossil fuels and encourage the expeditious development, production and delivery of renewable energy to all residents in our islands should be supported.

However, I **OPPOSE HB 2863 HD2, SD1** for the following reasons:

- The bill as written would have a negative impact on existing, well-established local, county, and state regulatory authority and continues to limit the applicability of Ch. 91 to the review process.
- The bill ambiguously references both a "consolidated" application, §§ -3, -4, -5 and -8, and a "coordinated" application, §§ -5 and -6. The plain definition of "consolidate" is to "combine into a single whole", while "coordinate" means "of the same order or importance"; the terms are not synonymous and speak to very different powers on the part of the proposed "energy resources coordinator."
- The bill in its current form makes no provision for community input. HB 2863 HD 2, SD1 purports to provide a siting process for any/all renewable energy facilities, so long as providing in excess of 200 megawatts of power. However, facilities providing renewable energy at this level from sources such as wind, solar, wave, and bio-diesel, would each have vastly different footprints, effects on the environment, and most importantly, significantly different impacts on the communities in which placed. Yet the solitary reference to any public participation appears in § -4 (d), where the term "public meeting" appears in a vacuum; there is no reference to when in the process such a meeting might be held, where it would be held, or who would have oversight.
- The bill remains silent on requiring an applicant to provide any community benefits package, either by way of addressing local energy needs first, or by profit sharing with the communities hosting a renewable energy facility

Thank you for this opportunity to testify to your Committees.

Sally Kaye
P.O. Box 631313
Lanai City, HI 96763



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION,
AND AFFORDABLE HOUSING
SENATE COMMITTEE ON WAYS AND MEANS

H.B. 2863, S.D.1, Relating to Renewable Energy

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

April 1, 2008
9:00 am

1 **Department's Position:** The Department of Health (DOH) supports renewable energy and a faster and
2 more efficient permit process and offers comments.

3 **Fiscal Implications:** There is an unspecified appropriation of general funds.

4 **Purpose and Justification:** This measure is amended to establish a consolidated application process to
5 expedite the review and action upon state and county permits necessary for the siting, development,
6 construction, and operation of a renewable energy facility. The Director of the Department of Business,
7 Economic Development, and Tourism (DBEDT), as the Energy Resources Coordinator, is charged with
8 the responsibility of the consolidated permit application process.

9 The administration had a bill last year which would have coordinated permitting, and this year,
10 the Governor's State of the State address included making permitting easier for renewable energy
11 projects, so we are pleased to see acceptance of the concept.

12 We appreciate the bill has been amended to maintain our functions within the department.
13 However, the DOH functions are broader than the stated definition. Therefore, we recommend that on
14 page 2 line 1 the definition of "Delegated environmental permit" be amended to read as: "Delegated

1 environmental permit” means a pollution control permit issued by the department of health under
2 authority delegated or with oversight by the United States Environmental Protection Agency.

3 The DOH gives priority to processing alternative energy permits and has developed general
4 permits to streamline the permitting process. Our effort has shown that these processes has helped. For
5 example, the DOH took two and three days, respectively, to issue Notices of General Permit Coverage
6 for the Big Island Pakini Nui Windfarm and Maui Kaheawa Wind Power projects, respectively, after
7 receipt of complete Notices of Intent.

8 We do question whether this bill requires more resources and ask that the legislature not replace
9 the priorities in the executive supplemental budget proposal.

10 Thank you for the opportunity to testify on this measure.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.537.9019 hawaii.chapter@sierraclub.org

**SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION,
AND AFFORDABLE HOUSING
SENATE COMMITTEE ON WAYS AND MEANS**
April 1, 2008, 9:00 A.M.

(Testimony is 2 pages long)

TESTIMONY IN OPPOSITION TO HB 2863 HD2 SD1

Chairs Kokubun and Baker and members of the committees:

The Sierra Club, Hawai'i Chapter, with 5500 dues paying members statewide, respectfully opposes HB 2863 HD2 SD1, establishing an expedited process for certain renewable energy projects. While we greatly appreciate the intent behind the measure—ostensibly to expedite the development of renewable energy sources in Hawai'i—we fear that faulty decision making may result if agencies and commissions are forced to expedite energy permits at the expense of reduced public input and deliberation. The State or our environment may be liable if a critical environmental issue—say a habitat conservation plan for an endangered bird—delays a project.

First, it has been our experience in tracking clean energy developments in Hawai'i that the environmental disclosure and permitting hurdles are lower on the list than obstacles such as financing, land acquisition, and interconnection agreements with the electric utility. In fact, interconnection agreements seem to be the biggest roadblock. For example, consider the Maui windfarm at Kaheawa Pastures. At the public hearing on the conservation district use permit—the main environmental approval that was needed—33 individuals and organizations testified and all were in support. The interconnection agreement with Maui Electric, however, took years to negotiate, with much frustration on the part of the wind developer.

Second, our existing permitting process protects the environment and the public's right to provide input in the decision making. ***This usually makes for better siting and development decisions.*** Given that many of our indigenous energy resources will be harnessed in remote or ecologically sensitive areas, proper permitting and analysis are crucial. Again in the Kaheawa Pastures case, through the existing permitting process an agreement was reached to protect the Nene and other species. But expediting permitting of new renewable energy facilities—particularly those that are located in wild areas—may cause important resource protection measures to be overlooked. In fact, one of the environmental

impacts caused by the Kaheawa Pastures wind farm related to grading the steep road up to the wind farm location. Yet HB 2863 HD2 SD1 requires that the counties establish an “expedited process for review and issuance” of grading permits.

Third, some of the “renewable energy facilities” contemplated in HB 2863 HD2 SD1 may be truly fossil fuel facilities in disguise. A recent proposal to produce biofuel by Kauai Ethanol LLC sought a covered source air permit to burn imported coal at the facility to convert molasses to ethanol.

Finally, we are concerned about allowing the new coordinator to adopt interim rules without regard to the public notice and hearing requirements of chapter 91. The public’s right to help shape the rules and challenge their validity should be preserved.

Again, we greatly appreciate—and fully support—the intent behind HB 2863 HD2 SD1, but the measure may create unintended consequences while not fully addressing the underlying problems of financing, land acquisition and utility interconnection agreements. We would fully support a measure to provide a renewable energy facilities coordinator at DBEDT (an ombudsman of sorts) to help shepherd projects, priority processing of renewable energy permits, and any other measures to cut bureaucracy—as long as the existing public input and environmental protection processes remain intact.

Thank you for the opportunity to testify.

HAWAII RENEWABLE ENERGY ALLIANCE

46-040 Konane Place #3816, Kaneohe, HI 96744 – Telephone/FAX: 247-7753 – Email: wsb@lava.net

Officers

President
Warren S. Bollmeier II

Vice-President
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Secretary/Treasurer
Cully Judd

Directors

Warren S. Bollmeier II
WSB-Hawaii

Cully Judd
Inter Island Solar Supply

John Crouch
Sunpower

Herbert M. (Monty) Richards
Kahua Ranch Ltd.

TESTIMONY OF WARREN BOLLMEIER ON BEHALF OF THE HAWAII
RENEWABLE ENERGY ALLIANCE BEFORE THE SENATE COMMITTEES
ON COMMERCE, CONSUMER PROTECTION AND HOUSING,
AND WAYS AND MEANS

HB 2863 HD2 SD1, RELATING TO RENEWABLE ENERGY

April 1, 2008

Chairs Kokubun and Baker, Vice-Chairs Ige and Tsutsui and members of the Committees I am Warren Bollmeier, testifying on behalf of the Hawaii Renewable Energy Alliance (HREA). HREA is a nonprofit corporation in Hawaii, established in 1995 by a group of individuals and organizations concerned about the energy future of Hawaii. HREA's mission is to support, through education and advocacy, the use of renewables for a sustainable, energy-efficient, environmentally-friendly, economically-sound future for Hawaii. One of HREA's goals is to support appropriate policy changes in state and local government, the Public Utilities Commission and the electric utilities to encourage increased use of renewables in Hawaii.

The purpose of HB 2863 HD2 SD1 is to establish a renewable energy facility siting process to expedite the review and action upon state and county permits necessary for the siting, development, construction, and operation of a renewable energy facility. HREA **supports the intent** of this bill and offers the following comments:

1. Coordination Role for DBEDT. HREA supports a role for **DBEDT** as proposed to work with other agencies to **coordinate** the permitting process, and to assist developers;
2. Definition of Renewable Energy Facility. There should be a definition of "Renewable Energy Facility" in this bill (One is alluded to in Section 3). We recommend that the definition of "renewable energy facility" be a "facility utilizing any or several of the renewable energy sources as defined in HRS §269-91 to produce thermal or mechanical energy, generate electricity, or produce a useable liquid fuel;" and
3. Facility Capacity. There should be a minimum threshold for the capacity of the facility to fall under DBEDT's coordinative wings. We suggest that the minimum capacity be 50 MW (electricity) or equivalent (thermal and mechanical), and 5,000,000 gallons a year for liquid fuels.

Thank you for this opportunity to testify.

testimony

From: john ornellas [johnornellas@hotmail.com]
Sent: Monday, March 31, 2008 9:38 PM
To: testimony
Subject: FW: WAM Committee Hearing for HB2863, Renewable Energy

From: johnornellas@hotmail.com
To: testimony@capitol.hawaii.go
Subject: WAM Committee Hearing for HB2863, Renewable Energy
Date: Mon, 31 Mar 2008 21:29:48 -1000

Aloha WAM Members,
Ref:HB 2863

Please do not give away the communities rights for **ALL** public hearings (Fed's, State & County) including the right to seek intervention associated to "Fast Tracking" the permitting process for renewable energy. The community must be partners in the process.

On Lanai we are very concerned that we will not have a say on our future with a proposed 125 wind power farms.

Mahalo
John Ornellas
POB 631134
Lanai City, HI 96763
808-559-0411