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# A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY FACILITIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the State's  
2 dependence on petroleum for over ninety per cent of its energy  
3 needs is more than any other state in the nation. This  
4 dependence makes Hawaii extremely vulnerable to any oil embargo,  
5 supply disruption, international market dysfunction, and many  
6 other factors beyond the State's control.

7           Energy efficiency and the use of renewable energy resources  
8 will increase Hawaii's energy self-sufficiency and achieve broad  
9 societal benefits, including increased energy security,  
10 resistance to oil prices, environmental sustainability, economic  
11 development, job creation, and food self-sufficiency.

12           The legislature also finds that achieving Hawaii's  
13 renewable energy goals may require the development of renewable  
14 energy facilities on conservation and agricultural districts or  
15 special management areas. While conservation and agricultural  
16 districts and special management areas contain many valuable  
17 resources for the State that need special protection, the  
18 benefits of energy self-sufficiency and the reduction of our



1 reliance on petroleum-based energy renewable energy facilities,  
2 under proper supervision and oversight to protect the public  
3 health, safety, and welfare, warrants those facilities being a  
4 permitted use within those districts and area.

5 SECTION 2. Chapter 201N, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8 "§201N- Conservation and agricultural districts; special  
9 management areas; compatibility. (a) Notwithstanding any law  
10 to the contrary, the siting, development, construction, and  
11 operation of a renewable energy facility may be allowed within a  
12 conservation or agricultural district or special management  
13 area.

14 (b) This section shall not:

15 (1) Exempt renewable energy facilities from any permit or  
16 approval process under chapters 205, 205A, or 343; or

17 (2) Prevent any agency or authority that issues permits or  
18 approvals for renewable energy facilities from  
19 imposing reasonable and appropriate restrictions on  
20 the siting, development, construction, and operation  
21 of a renewable energy facility to protect the



1           environment or the health, safety, and welfare of the  
2           State.

3           (d) All agencies and authorities that issue permits or  
4           approvals for renewable energy facilities shall adopt rules  
5           pursuant to chapter 91 to:

6           (1) Determine the type of renewable energy facility that  
7           may be allowed within a conservation or agricultural  
8           district or special management area;

9           (2) Determine criteria for the appropriate siting of  
10           renewable energy facilities within a conservation or  
11           agricultural district or special management area;

12           (3) Identify mitigation measures applicable to renewable  
13           energy facilities to protect the environment and the  
14           health, safety, and welfare of the State; and

15           (4) Allow the energy resources coordinator to give  
16           priority to applications issued as a result of this  
17           section; provided that the priority shall not mitigate  
18           the effect of any law regulating renewable energy  
19           facilities."

20           SECTION 3. New statutory material is underscored.

21           SECTION 4. This Act shall take effect on July 1, 2020.



**Report Title:**

Renewable Energy Facilities; Conservation and Agricultural  
Districts; Special Management Areas

**Description:**

Allows the development of renewable energy facilities on  
conservation and agricultural districts and special management  
areas; provided that the facilities comply with all applicable  
regulatory laws. (Proposed HD1)

