

JAN 22 2010

A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY.

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

1 SECTION 1. The legislature finds that while there is a
2 growing consensus that Hawaii could greatly reduce its
3 dependency on fossil fuel by facilitating the development of
4 renewable and sustainable energy facilities within the State,
5 implementing new projects is difficult due to restrictions
6 imposed by existing land use requirements.

7 Expanding the uses allowed within state conservation
8 districts, which cover approximately forty-eight per cent of the
9 State, would greatly expand renewable energy opportunities at a
10 time when the greatest flexibility and creativity is needed.

11 The purpose of this Act is to allow the department of land
12 and natural resources to allow certain renewable energy projects
13 in the conservation districts, subject to the zoning and
14 rulemaking provisions under chapter 183C.

15 SECTION 2. Section 183C-4, Hawaii Revised Statutes, is
16 amended by amending subsection (d) to read as follows:

17 "(d) The department shall establish zones within the
18 conservation district, which shall be restricted to certain



1 uses. The department, by rules, may specify the land uses
 2 permitted therein which may include [7] but are not limited to [7]
 3 farming, flower gardening, [~~operation of~~] operating nurseries or
 4 orchards, [~~growth of~~] growing commercial timber, grazing,
 5 recreational or hunting pursuits, establishing wind turbines,
 6 wind farms, solar energy facilities, or low-impact hydropower
 7 facilities, or residential use. The rules may control the
 8 extent, manner, and times of the uses [7] and may specifically
 9 prohibit unlimited cutting of forest growth, soil mining, or
 10 other activities detrimental to good conservation practices."

11 SECTION 2. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *Mike Hall*

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Report Title:

Conservation District; Renewable Energy

Description:

Authorizes DLNR rules to allow renewable energy facilities in state conservation districts.

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