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## A BILL FOR AN ACT

RELATING TO THE RENEWABLE ENERGY FACILITY SITING PROCESS.

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

1           SECTION 1. The legislature finds that state and county  
2     permitting for almost any project, whether it be construction or  
3     siting for a renewable energy facility, can be slow and trying.  
4     While the permitting process does allow for time to study, among  
5     other things, the environmental impact of a particular project,  
6     the amount of time spent on permitting can be excessive and  
7     prove detrimental to project that can protect our environment,  
8     such as renewable energy facilities.

9           The legislature also finds that the report to the  
10    legislature called for by Senate Concurrent Resolution 164,  
11    Regular Session 2007, included an appendix that stated a list of  
12    possible permits required for renewable energy facility siting.  
13    The draft list cited over 20 potential permits from a variety of  
14    state and county agencies. Possible federal permit requirements  
15    were not listed. Clearly, the siting for a renewable energy  
16    facility can be overwhelming.

17           Even with the assistance of an energy resources  
18    coordinator, as created in Act 207, Session Laws of Hawaii 2008,



1 the task of facilitating permit applications is daunting for any  
2 business. Given the immediate and long-term need for Hawaii to  
3 break its dependence on fossil fuel, the last thing a potential  
4 renewable energy producer of scale or the people of Hawaii need  
5 is unwarranted delay.

6 The purpose of this Act is to create an expedited and  
7 preferential application process for renewable energy providers  
8 of scale, and to create a fixed deadline for permit approvals  
9 and an incentive to expedite them.

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

13 "§201N-A Preference in siting assistance. (a) Permit  
14 plan applications for renewable energy facilities that:

15 (1) cost \$750,000,000 or more; and

16 (2) generate renewable energy equivalent to one-fifth the  
17 amount of energy generate by fossil fuels in the year  
18 of application,

19 shall be expedited through the permit facilitation process under  
20 this chapter.

21 (b) In no instance shall a permit plan application meeting  
22 the requirements for preference under this section take more



1 than one year to process. In an instance where a state or  
 2 county agency does not approve or deny a permit that is  
 3 identified by the coordinator under this chapter as a necessary  
 4 permit for operation of the facility within a one year time  
 5 period, and where the permit plan application qualifies for  
 6 preferential facilitation under this section, such permit shall  
 7 be considered granted and approved as of one year after the  
 8 initial acceptance of the permit plan application."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Renewable energy siting; preferential process

**Description:**

Creates a preferential and expediting permit plan application process for renewable energy producers of scale.

