

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

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
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
RICHARD C. LIM
Director
Department of Business, Economic Development, and Tourism
before the
**HOUSE COMMITTEES ON
ENERGY & ENVIRONMENTAL PROTECTION
AND
WATER, LAND, & OCEAN RESOURCES**

Monday, March 21, 2011
9:15 AM
State Capitol, Conference Room 325

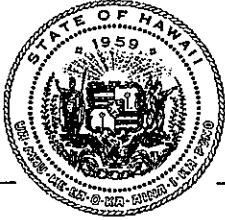
in consideration of
**SB 631, SD1
RELATING TO RENEWABLE ENERGY.**

Chairs Coffman and Chang, Vice Chair Har, and Members of the Committees.

The Department of Business, Economic Development, and Tourism (DBEDT) supports SB631 SD1. The bill expands the permitted use of renewable energy on agricultural land. Expanding the permitted use of renewable energy on agricultural land helps to ensure we will reach the renewable portfolio standard target of 40 percent renewable generation by 2030.

This version of the bill includes limits on the quantities of solar allowed on lands rated "B" and "C" and states that solar energy facilities shall not be placed in areas designated as Important Agricultural Lands. Therefore, it provides a balanced approach to preserving the most important agricultural lands while enabling the use of local solar resources to meet local energy needs.

Thank you for the opportunity to provide these comments.



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

NEIL ABERCROMBIE
GOVERNOR
RICHARD C. LIM
INTERIM DIRECTOR
JESSE K. SOUKI
INTERIM DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Statement of
JESSE K. SOUKI
Interim Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**HOUSE COMMITTEE ON WATER, LAND, AND OCEAN RESOURCES
AND
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION**
Monday, March 21, 2011
9:15 AM
State Capitol, Conference Room xx

in consideration of
**SB 631, SD 1
RELATING TO RENEWABLE ENERGY.**

Chair Chang, Acting Chair Coffman, Vice Chair Har, and Members of the House
Committees on Water, Land, and Ocean Resources and House Committee on Energy and
Environmental Protection.

SB 631, SD 1, proposes to increase the areas with the State Agricultural District in which
solar energy facilities may be constructed by amending Chapter 205-2(d)(6).

The Office of Planning is encouraged that the Senate amended this bill to limit solar
arrays built on Land Study Bureau rated "B" and "C" lands to ten per cent of each parcel.

However, we still have concerns about allowing solar arrays to be built on "B" and "C"
rated lands because these quality agricultural lands are needed to improve food security and self-
sufficiency for Hawaii. These lands may also be used for growing bio-fuel crops which
contribute to renewable energy self-sufficiency, which would not permanently prevent future
food production.

“D” and “E” rated lands comprise over 87% of lands in the State Agricultural District. In other words, 3.3 million acres in “D” and “E”, out of the total 3.8 million acres in the State Agricultural District, are potentially available for solar energy facilities in the State. See attached table from the State GIS Program detailing the Land Study Bureau Rating Acreages by Island. Before removing "B" and "C" lands from the State Agricultural District for non-agricultural uses, we recommend a review of whether existing less productive lands already meet the objectives of this bill.

Thank you for the opportunity to offer these comments.



Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street, Honolulu, HI 96819
Phone: (808) 848-2074; Neighbor Islands: 1-800-482-1272
Fax: (808) 848-1921; e-mail: info@hfbf.org

TESTIMONY

RE: SB 631SD1 RELATING TO RENEWABLE ENERGY

Chair Chang, Chair Coffman and Members of the Committees:

Hawaii Farm Bureau Federation, on behalf of our commercial farm and ranch families and organizations requests the following amendment to SB631 SD1, Relating To Renewable Energy.

HFBF agrees that renewable energy is important to Hawaii. We also believe agriculture is not only important but critical to Hawaii's increased self sufficiency. We appreciate the amendment to the original measure limiting the facility to no more than 10% of the area.

We are however, concerned about the possible interpretation of the prohibition on IAL. We believe that the intent is not to prohibit solar facilities that may be used within an agricultural operation. To clarify this intent, we suggest the following language.

(C) Solar energy facilities shall not be placed in areas designated as Important Agricultural Lands pursuant to chapter 205, part III unless as an appurtenance as defined in section (16) of this measure. (addition is double underscored)

Section 16 addresses agricultural energy facilities that are appurtenant to the operation. Solar facilities that pump irrigation water or assist in the drying of agricultural crops should be allowed. Recently, in light of food safety requirements, work is proceeding on using solar heating to sanitize water used by produce farmers. For this reason the above clarification is needed to avoid misinterpretations regarding the prohibition.

We respectfully request your **support in amending this measure as recommended** . We appreciate this opportunity to provide our opinion on this matter. If there are any questions, please contact Warren Watanabe at 2819718.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCES HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

March 21, 2011, 9:15 A.M.
(Testimony is 2 pages long)

TESTIMONY IN OPPOSITION TO SB 631 SD1

Aloha Chair Chang, Chair Coffman, and Members of the Committees:

The Hawai'i Chapter of the Sierra Club, with 8,000 dues-paying members and supporters, **opposes** SB 631 SD1. This measure would allow solar facilities to be built on 10% of agricultural parcels with soil classified as B or C. While this measure appears appropriately geared towards advancing Hawai'i's clean energy goals, it could also have a significant detrimental effect on Hawai'i's efforts to increase food self-sufficiency.

I. *Hawai'i's Imported Food Crisis.*

Hawai'i is tragically reliant upon imported food. We import approximately eighty-five percent of our food. Currently, Hawaii has a fresh supply of produce for no more than ten days. Ninety percent of the beef, sixty-seven percent of fresh vegetables, sixty-five percent of fresh fruits, and seventy percent of all milk consumed in the state are imported.

Further, over the past 50 years, approximately 53% of Class A and B lands have been reclassified to urban use. On Oahu alone, almost 4,000 acres of prime farmland have been reclassified in the past 20 years.

II. *Local Food Production and Consumption.*

While the picture is currently bleak, there are some glimmers of hope. Between 1990 and 2004 there was a 475% increase in the land acreage planted to vegetable crops in Oahu (from about 800 acres planted in 1990, to 3,800 acres in 2004, according to DOA annual reports). This sudden shift of statewide vegetable production to Oahu showed that when the proper opportunities exist, growers prefer to grow diversified crops in Oahu, to minimize inter-island transportation costs.

Over the past few years, there has been an increasing focus on buying and eating local. Because of health and environmental concerns, consumers are increasingly demanding, and willing to pay premiums for locally grown produce, as compared to imported produce (for example, see: Ray Cross, Buy Local: Your Health Will Thank You, Madison County Courier Newspaper, NY, Jan. 19, 2010; and Cynthia Oi, The demand is there for locally grown food, Op-ed, Honolulu Star Bulletin, Jan. 2, 2010).

III. *The Need for Agricultural Land.*

Regardless, even assuming that we can rely on the same level of inputs that we use today, an analysis of self-sufficiency by two College of Tropical Agriculture and Human Resources professors, investigated whether Hawaii could become self-sufficient in food production, based on the current available land. And they answered "The answer, simply, is no" (C.N. Lee and H.C. Bittenbender, Agriculture, CTAHR Internal document). In this analysis the authors report that Hawaii has about 249,000 acres of "good farmland." To reach near self-sufficiency in agricultural production they calculated that the state would need 260,800 acres, or 12,000 acres more than what we currently have available, and these estimates were made without considering for population increases.

IV. *Competing Uses for Agricultural Land.*

Increasing the number of permissible uses on agricultural land potentially increases the cost for current agricultural operations. Lessees, for example, may have to pay more as new and more expensive "highest and best uses" (the normal phrase used to determine lease rents) are established on agricultural land. Farmers may have to stop producing food and switch to renewable energy simply to stay in business. Longterm leasing may also become more difficult to obtain as more agricultural land is taken out of existing inventory.

Competing uses also takes valuable and finite farmland out of food production. Early estimations for the amount of land needed for biofuels, for example, indicate tens of thousands of acres could be required. This puts Hawai'i further down the hole in establishing a reasonable level of food self-sufficiency.

V. *Conclusion.*

This is not a zero-sum question. Let's set policies that advance both food and energy security goals instead of pitting these competing demands against one another. Renewable energy is already allowed on agricultural land with a special permit. It's unclear whether we need to rush into allowing renewable energy on all agricultural land as a matter of right before doing a more detailed and specific analysis on the possible impacts.

Thank you for the opportunity to testify.



TO: Rep. Jerry L. Chang
Chair, Committee on Water, Land, & Ocean Resources
Rep. Sharon E. Har
Vice Chair, Committee on Water, Land, & Ocean Resources

Rep. Denny Coffman
Vice Chair, Committee on Energy & Environmental Protection
Via Email: EDTestimony@Capitol.hawaii.gov

FROM: Tim Wong
Vice President, Head of Strategy
Sopogy, Inc.

DATE: March 18, 2011

RE: **S.B. 631 Relating to Renewable Energy**
Hearing: Monday, March 21, 2011 at 9:15 a.m., Room 325

Dear Chair Chang, Vice Chair Har, Vice Chair Coffman and Members of the Committee:

My name is Tim Wong and I am the Head of Strategy for Sopogy, Inc. (Sopogy). Sopogy is a solar power technology company based in Hawaii that uses concentration solar thermal to heat to generate electricity, process heat, and provide solar air conditioning. Our mission is to bring renewable solar energy technologies to Hawaii and its people for the betterment of our environment, independence from volatile imported fossil fuels, and energy stability.

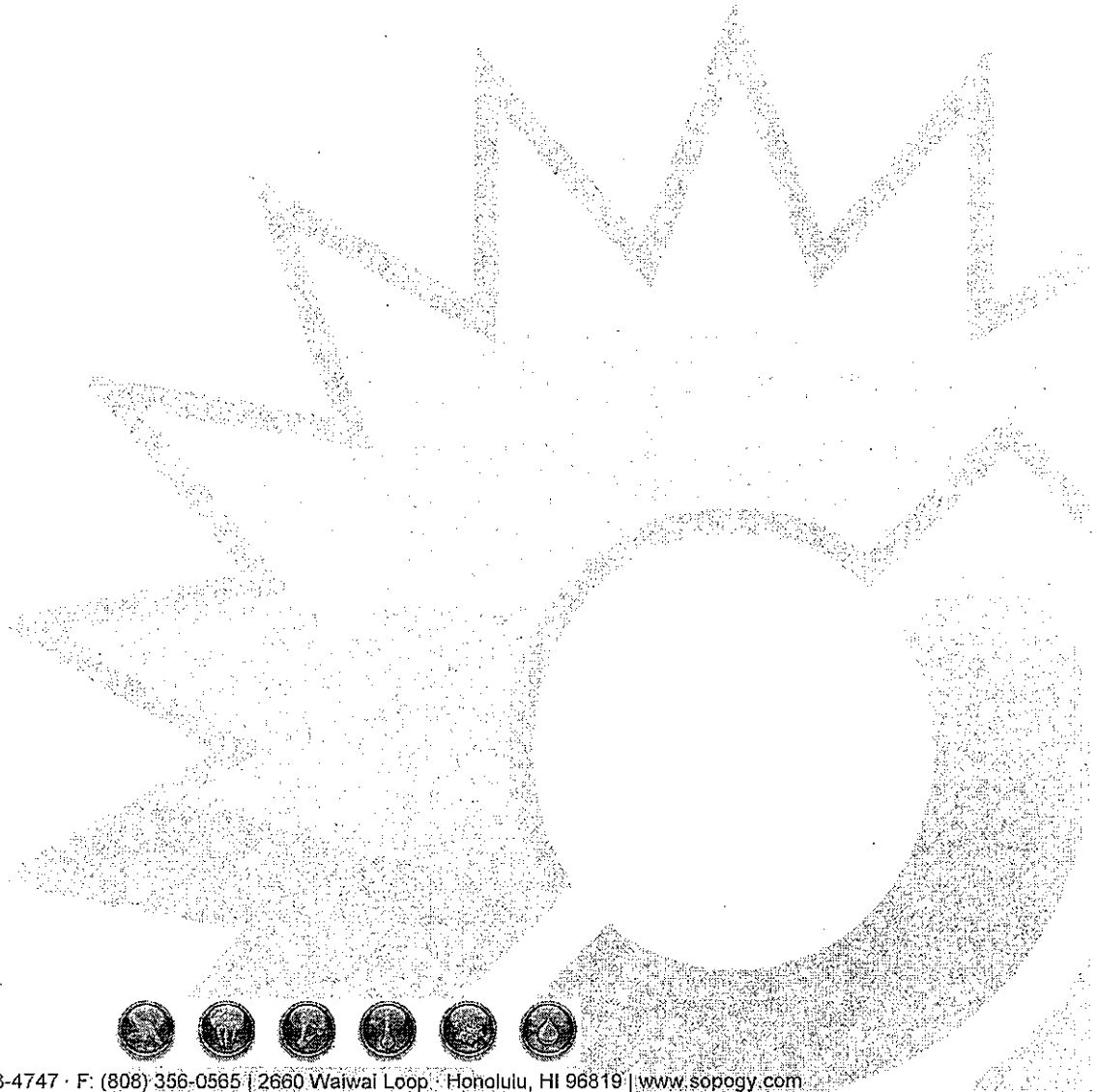
Sopogy **supports** S.B. 631, as it provides the ground work to allow companies to best utilize agricultural land. To do social good while they making profits. This measure will allow both corporations a blend and use the land for its best use.

This will allow solar energy to displace fossil fuels generated near agriculture B and C land. hybrid entities pay taxes and can have shareholders, without the risk of being sued for not maximizing profits. We believe this will allow companies to focus on doing what is right for the environment.





Thank you for this opportunity to present testimony in support of this measure.



03/18/2011 10:00 AM 1 000 020 1117
03/18/2011 10:00 AM 1 000 020 1117
03/18/2011 10:00 AM 1 000 020 1117

RONALD Y. AMEMIYA
ATTORNEY AT LAW

Suite 2100 - Mauka Tower
737 Bishop Street
Honolulu, HI 96813
Telephone - (808) 226-7055
FAX - (808) 523-1714
ramemiya@hawaii.rr.com

March 18, 2011

Hon. Jerry L. Chang, Chair
Committee on Water, Land & Ocean Resources

Hon. Denny Coffman, Acting Chair
Committee on Energy & Environmental Protection

Conference Room 325 – hearing room, Monday, March 21, 2011, 9:15 a.m.

Re: HB631, SD1 (SSCR489) – Relating to Renewable Energy

Dear Chairs Chang & Coffman & Members of WLO & EEP:

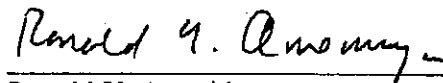
The purpose of this measure is to increase, with certain limitations, the areas within agricultural lands in which solar energy facilities may be constructed.

Under the present law, aquaculture, wind generated energy production, and biofuel production can be carried out on certain agricultural lands without the land owners obtaining Conditional Use Permits. Presently, said permits must be obtained for solar energy facilities .

Solar energy falls into the same category as wind generated energy and biofuel in that all 3 are renewable sources. It would only seem fair and equitable for solar energy to also be accorded the same treatment as wind and biofuel energies. The increase in the production of solar energy to feed into the HECO lines would decrease Hawaii's dependence on crude oil that pollutes our environment. Furthermore, the construction of these solar energy facilities would provide desperately needed jobs for our people.

For the above reasons, we support HB631, SD1.

Sincerely,


Ronald Y. Amemiya

Fax No. – 586-8504

Statement of
William Reese Liggett, private citizen
before the

HOUSE COMMITTEES ON ENERGY AND ENVIRONMENTAL PROTECTION,
AND WATER, LAND, & OCEAN RESOURCES

Monday, March 21, 2011, 9:15AM

State Capitol, Conference Room 325
in consideration of

SB631 SD1 relating to renewable energy.

Chair Coffman, Chair Chang, Vice Chair Har and committee members:

I oppose SB631 SD1 because it would allow development of some of Hawaii's best farm lands for the production of solar energy.

While D and E land may be expendable for such industrial purpose, A, B, and C land are too valuable to allow solar-electric systems beyond such as necessary for agricultural systems on that land.

The time to draw a strong line against non food production exploitation of our top three grades of ag land is now.

I strongly recommend that these committees do not pass this Bill.

Respectfully,

Reese Liggett, 4947 Maunalani Circle, Honolulu 96816

Statement of Alice K. Liggett
before the

HOUSE COMMITTEES ON ENERGY AND ENVIRONMENTAL PROTECTION,
AND WATER, LAND, & OCEAN RESOURCES

Monday, March 21, 2011
9:15AM

State Capitol, Conference Room 325
in consideration of

SB631 SD1
RELATING TO RENEWABLE ENERGY.

Chair Coffman, Chair Chang, Vice Chair Har and committee members:

I oppose SB631 SD1. The bill shamelessly expands the land where solar energy production is permitted. It expands the permitted use of renewable energy on agricultural land unnecessarily and unwisely reduces the availability of B and C agricultural land for food production. I propose that renewable energy development be restricted to ONLY D and E agriculture land.

Agricultural land is being wasted and we need to preserve it for future food production and open space NOW. Every landowner wants to develop its land for big money but we should be saving the agricultural land instead. The land that we save from industrial development of solar energy can be used for farming of local foods.

SB631 proposes that solar energy facilities are allowed to build on B and C land. This is unacceptable because it can destroy the future for generations to come. The more you build now, the less land and options you have later. Once the land is built on, it can never be the same.

In the past 20 years, Oahu alone has change the category of almost 4,000 acres of our key farmland. I strongly recommend this bill be held by these committees. Alternative energy development is important, but not and the expense of A, B, and C agricultural land.

I appreciate this opportunity to testify,

Alice Liggett, Maunalani Heights, Kaimuki, Honolulu 96816