

Honolulu, Hawaii
February 14, 2014
RE: H.B. No. 2203
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 2203 entitled:

"A BILL FOR AN ACT RELATING TO SOLAR ENERGY,"

begs leave to report as follows:

The purpose of this measure is to enable the complementary uses of utility scale solar energy generation and local food production on agricultural land.

Specifically, the measure:

- (1) Authorizes solar energy facilities to occupy more than ten per cent of the acreage of the parcel, or twenty acres of land, on agricultural land with soil classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class B or C if the area occupied by the solar energy facilities is also devoted to agricultural activities;
- (2) Authorizes solar energy facilities on agricultural land with soil classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class B if the solar energy facilities provide an area of land for agricultural food production that is equal to or greater than the area occupied by the solar energy equipment; and



- (3) Requires solar energy facilities and equipment on agricultural land to be decommissioned within twelve months of the conclusion of operation.

Hawaii Renewable Energy Alliance, First Wind Solar Group, Tin Roof Ranch, and one individual testified in support of the measure. The Board of Agriculture; Department of Business, Economic Development, and Tourism; Office of Planning; and Land Use Commission commented on the measure.

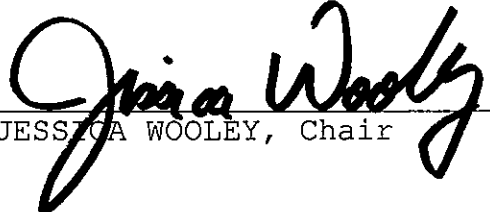
Your Committee finds that the productive use of agricultural land is important for local food production and that utility scale energy projects on agricultural land can enhance a property's agricultural productivity. Your Committee also finds that energy generation can improve the viability of land for agriculture by providing infrastructure and subsidizing land costs for complementary agricultural uses. Your Committee believes that by enabling the complementary uses of utility scale solar energy generation and local food production on agricultural land, this measure will increase both the State's energy self-sufficiency and food security.

Your Committee has amended the measure by specifying that solar energy facilities that occupy over ten per cent of a class B or C parcel's acreage shall be allowed if a special use permit is granted and the area occupied by the solar energy facilities is also made available for compatible agricultural activities at a lease rate that is at least fifty per cent below the fair market rent for comparable properties.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2203, H.D. 1, and be referred to the Committees on Energy & Environmental Protection and Water & Land.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture,



JESSICA WOOLEY, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSUR 441-14

Record of Votes of the Committee on Agriculture

Bill/Resolution No.: HB 2203	Committee Referral: AGR, EEP/WAL	Date: 2/10/2014		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. WOOLEY, Jessica (C)	✓			
2. ONISHI, Richard H.K. (VC)		✓		
3. AWANA, Karen	/			
4. BROWER, Tom	/			
5. CACHOLA, Romy M.				/
6. CHOY, Isaac W.	✓			
7. OHNO, Takashi	/			
8. TOKIOKA, James Kunane	✓			
9. TSUJI, Clift	✓			
10. MATSUMOTO, Lauren Kealohilani	/			
11. WARD, Gene	/			
TOTAL (11)	9	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input checked="" type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				