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HB 2165 HD1
Relating to Solar Energy
Written Comments Only

Committee on Finance
February 20, 2014
1:30 p.m.

Chair Luke and members of the Committee:

This measure allows the Counties to enact ordinances to record and enforce solar easements that includes an enabling provision designating the Offices of the County Clerks as the official recorder of the solar right declarations.

The Office of the City Clerk takes no position on this measure but requests that if the measure is passed, that it instead allow each respective County to determine the most appropriate agency for the solar right declaration recording responsibilities.

Thank you for the opportunity to submit comments.



Hawaii Solar Energy Association
Serving Hawaii Since 1977



Before the House Committee on Finance
Thursday, February 20, 2014, 1:30 p.m., room 308
HB 2165 HD 1: RELATING TO SOLAR ENERGY

Aloha Chair Luke, Vice-Chairs Nishimoto & Johanson, and members of the House Committee on Finance,

On behalf of the Hawaii Solar Energy Association (HSEA), I would like to testify in support for HB 2165 HD 1, which permits the governing body of a county to create, by ordinance, a process for the recordation and enforcement of solar easements. HSEA is a non-profit trade organization that has been advocating for solar energy since 1977, with an emphasis on residential distributed generation and commercial for both solar hot water (SHW) and photovoltaics (PV). We currently represent 81 companies, which employ thousands of local employees working in the solar industry. With 37 years of advocacy behind us, HSEA's goal is to work for a sustainable energy future for all of Hawaii.

When a homeowner invests in a solar system—be it solar hot water and/or photovoltaic—the available solar access dictates the sizing and siting of the system. Although customer loads may change and the efficiency of the solar system may drop over time, the fixed part of the calculation is the intensity and duration of the solar access within expected seasonal fluctuations. It is therefore key that the solar access remains a constant, and that trees or bushes in adjacent properties which might block access are trimmed to allow the solar system to continue to produce as designed.

HB 2165 would protect that access by allowing a property owner to record a solar easement if the requirements for recording an easement is met. Roof top solar in Hawaii has grown from 491 systems in 2008 to nearly 40,000 systems to date, and these systems have a potential lifetime of 30 years. Solar access is becoming a valuable resource in Hawaii, and a landowner should be able to protect access as applicable by creating an easement.

HSEA requests, however, that the effective date be made July 1, 2014.

Thank you for the opportunity to testify.

Leslie Cole-Brooks
Executive Director
Hawaii Solar Energy Association