

Honolulu, Hawaii  
February 9, 2018

RE: H.B. No. 2665  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2665 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect values, health, safety, and welfare of land owners of non-conforming residential subdivisions on agricultural lands with a soil rating of class D or E by requiring special use permit approval for future solar energy facilities larger than fifteen kilowatts.

The Land Use Commission, a member of the Hawaii County Council, Protect Marine Life Committee of the Democratic Party of Hawaii, Hawaii Ranchos Community Association, South Point U-Cart Inc, and a few concerned individuals supported this bill. The Department of Agriculture and Hawaii County Planning Department submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that non-conforming residential subdivisions must have been identified by the county, in addition to being created prior to January 1, 1980, on agricultural lands;



- (2) Clarifying that a special use permit is also required if the solar energy facility is placed on multiple lots in a non-conforming residential subdivision;
- (3) Changing its effective date to January 28, 2045, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2665, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2665, H.D. 1, and be referred to your Committees on Agriculture and Water & Land.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



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CHRIS LEE, Chair



State of Hawaii  
House of Representatives  
The Twenty-ninth Legislature

*HSCR 201-18*

**Record of Votes of the Committee on Energy & Environmental Protection**

Bill/Resolution No.: <b>HB 2065</b>	Committee Referral: <b>EEP, AGR/WAL, FIN</b>	Date: <b>2/6/2018</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. LOWEN, Nicole E. (VC)	/			
3. CULLEN, Ty J.K.	/			
4. KONG, Sam Satoru				/
5. McKELVEY, Angus L.K.	/			
6. TODD, Chris	/			
7. YAMANE, Ryan I.	/			
8. MCDERMOTT, Bob	/			
<b>TOTAL (8)</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> <i>Nicole E. Lowen</i>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				