

STAND. COM. REP. NO.

703

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 593

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs, to which was referred H.B. No. 593 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

beg leave to report as follows:

The purpose of this measure is to authorize the development of utility scale solar development projects on certain lands.

MetroGrow Hawaii, Hawaii Clean Power Alliance, Smart Yields, and several individuals supported this measure. The Land Use Commission, Office of Planning, Department of Agriculture, Hawaii Farm Bureau, Hawaii Interfaith Power & Light, We Are One, Inc., O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Na Kupuna Moku O Keawe, Life of the Land, Hawaii Crop Improvement Association, and many individuals opposed this measure. The Department of Business, Economic Development & Tourism, Hawaii Pineapple Company, and Ulupono Initiative provided comments.

Your Committees have amended this measure by:

- (1) Replacing the term utility scale solar development projects with utility scale solar projects;

HB593 HD1 HSCR EEP-WLH HMS 2019-2239

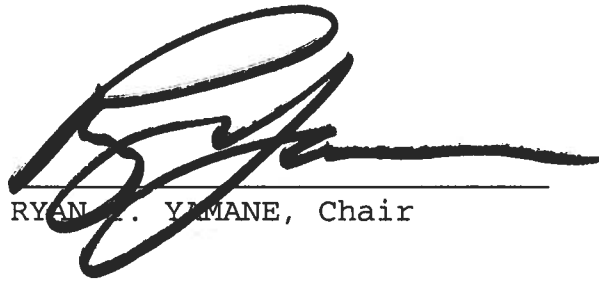


- (2) Requiring the Land Use Commission to consider and make specific findings on special permit applications for utility scale solar projects, including if:
  - (A) Agricultural activity will be enhanced or supported by the solar facility;
  - (B) Fragmentation of available land for agriculture may occur;
  - (C) Use of the land for a solar facility is critical to furthering state and county food security goals;
  - (D) Use of the land will negatively impact resiliency goals; and
  - (E) Construction of the solar facility will adversely impact agricultural activities on surrounding lands;
- (3) Requiring that the aggregate area of the land impacted directly by all utility scale solar energy facilities within class A agricultural lands in each county to not exceed one percent of the total class A agricultural lands in that county;
- (4) Requiring the special permit application for construction of a utility scale solar facility on class A agricultural lands to be reviewed by the Land Use Commission de novo;
- (5) Changing its effective date to July 1, 2100, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 593, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 1, and be referred to your Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committees on Energy &  
Environmental Protection and  
Water, Land, & Hawaiian  
Affairs,



RYAN M. YAMANE, Chair



NICOLE E. LOWEN, Chair





