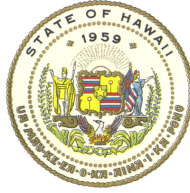
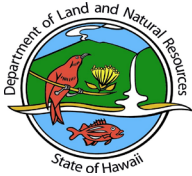


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
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SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committees on
ENERGY AND ENVIRONMENTAL PROTECTION
and
WATER AND LAND**

**Tuesday, February 8, 2022
8:40AM**

State Capitol, Conference Room 325, Via Videoconference

**In consideration of
HOUSE BILL 1523
RELATING TO RENEWABLE ENERGY**

House Bill 1523 proposes to amend the definition of “project” in Section 6E-2, Hawaii Revised Statutes (HRS), to exclude roof-mounted photovoltaic or solar water heater system from the meaning of “project.” **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and offers comments.**

The Department is charged by Chapter 6E, HRS, with protecting Hawaii’s historic properties. The Department believes that the transition to renewable energy is critically important to protecting the environment of our state, is a key element in long term adaptation to climate change, and to Hawaii’s energy security and clean energy future. The Department believes, however, that this measure is unnecessary and may result in damage to important historic structures and to alteration to the character of historic districts.

House Bill 1523 SECTION 1 would amend the definition of “project” in Section 6E-2, HRS, by expressly excluding roof-mounted photovoltaic and solar water heating systems from the meaning of “project.” The practical effect of this amendment would be to exempt roof-mounted photovoltaic and solar water heating systems from view by the Department under Sections 6E-10, or 6E-42, HRS. This exemption applies only to roof-mounted photovoltaic and solar water heating systems.

House Bill 1523 SECTION 2 amends Section 6E-10, HRS, to expressly exempt installation of rooftop photovoltaic and solar water heating systems from review by the Department. The Department’s review under Section 6E-10, HRS, applies only to privately owned properties that are listed in the Hawaii or National Registers of Historic Places. Because alteration of roofline is

immediately obvious and can dramatically affect the character of a historic building, the Department believes that installation of photovoltaic and solar water heating systems on roofs of listed properties should remain subject to review under Section 6E-10, HRS. The Department recommends that the proposed amendment to Section 6E-10, HRS, be removed from this measure.

The Department's review under Section 6E-42, HRS, applies to buildings that are at least 50 years old. Installation of roof top photovoltaic and solar water heating systems on structures less than 50-years-old are not subject to review under Chapter 6E, HRS.

In addition, the Department notes that Senate Bill 570, which the Department strongly supports, would amend the definition of historic property to require that to be considered historic a place must be both at least 50 years old and eligible for inclusion in the Hawaii register of historic places. Requiring that a 50-year-old building qualify for inclusion in the Hawaii Register would further reduce the number of buildings subject to Department review under Chapter 6E, HRS.

Furthermore, Section 6E-42.2, HRS, already exempts privately owned residences and town homes from Section 6E-42, HRS, review unless they are listed or nominated for inclusion in the Hawaii or national registers of historic places or are located in designated historic districts. Consequently, installation of roof top photovoltaic or solar water heating systems on the vast majority of Hawaii's private homes and town homes are already exempt from Chapter 6E, HRS, review.

The Governor's proposed budget includes significant increases in staff and funding for the Department's State Historic Preservation Division (Division). If the proposed increased budget for the Division is adopted, that will significantly improve the timeliness of Section 4E-42, HRS, reviews. The Department believes that the number of roof top photovoltaic and solar water systems that is subject to Section 6E-42, HRS, review under current law is relatively small and that this amendment is unnecessary.

Thank you for the opportunity to comment on this measure.

HISTORIC HAWAII FOUNDATION

TO: Representative Nicole E. Lowen, Chair
Representative Lisa Marten, Vice Chair
Committee on Energy & Environmental Protection (EEP)

Representative David A. Tarnas, Chair
Representative Patrick Pihana Branco, Vice Chair
Committee on Water & Land (WAL)

FROM: Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation

Committee: Tuesday, February 8, 2022
8:40 a.m.
Via Video Conference/Conference Room 325

RE: HB 1523, Relating to Renewable Energy

On behalf of Historic Hawaii Foundation (HHF), I am writing in **opposition to HB 1523, with recommendations**. The bill would amend Hawai'i Revised Statutes §6E to redefine "project" to exclude installation of roof-mounted photovoltaic or solar water heater systems. The effect would be to eliminate the ability of the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources to determine if such installations would have the potential to cause adverse effects on a historic building and to determine alternatives that would avoid or minimize the harm to historic properties.

State law (HRS §6E-10) provides the framework and authority for SHPD to review and provide written concurrence for projects that occur at sites, buildings, structures, objects and districts that are listed on the Hawai'i register of historic places. The purpose of the SHPD review is to ensure that such projects are planned, designed and constructed in such a way to preserve the characteristics and features that qualified the property for listing on the historic register and that convey the significance the property.

National standards and guidelines are used to provide principles, best practices, recommendations and technical specifications for work affecting historic properties. These standards and guidelines address a variety of types of projects, including the siting, design and installation methods for photovoltaic systems. In 2013, the U.S. Secretary of the Interior issued "Standards and Guidelines on Sustainability for Rehabilitating Historic Buildings" (see <https://www.nps.gov/tps/standards/rehabilitation/guidelines/sustainability.htm>)

These guidelines offer specific guidance on how to make historic buildings more sustainable in a manner that will preserve their historic character. The written guidance is illustrated with examples of appropriate or

“recommended” treatments, as well as some that are “not recommended” or could negatively impact the historic building’s structure, materials and design.

When following these standards, it is possible to install photovoltaic systems in such a way as to minimize harm to the historic fabric and features while still achieving energy conservation measures. However, it would be imprudent to forego the review and compliance process that would make property owners aware of the best practices and ensure a system for achieving it.

Therefore, rather than provide a blanket exclusion through redefining the meaning of “project” in the historic preservation review process, HHF recommends that SHPD adopt the Standards for Rehabilitation of Historic Properties with Guidelines for Sustainability. SHPD should also work with property owners, solar companies and permitting agencies to ensure knowledge of the standards and guidelines is widely distributed. SHPD could also establish a procedures that would allow solar projects that follow the guidelines to follow a streamlined review and approval process.

In this way, both the goals to achieve greater energy conservation and to protect and preserve Hawai‘i’s historic properties would be mutually supported and achieved.

Thank you for the opportunity to comment.



Hawaii Solar Energy Association
Serving Hawaii Since 1977

Testimony of The Hawaii Solar Energy Association Regarding HB 1523, Relating to Renewable Energy, Before the House Committee on Energy and Environmental Protection and House Committee on Water and Land

Tuesday, February 8, 2022

Chairs Lowen and Tarnas, Vice-Chairs Marten and Pihana Branco, and members of the Committees, my name is Rocky Mould and I am the Executive Director of the Hawaii Solar Energy Association (HSEA). We **support HB 1523** which excludes the installation of roof-mounted photovoltaic or solar water heating systems from mandatory review under Chapter 6E, HRS, by the state historic preservation division.

HSEA members include the majority of locally owned and operated renewable energy companies in the State of Hawaii, employing thousands of local individuals in a diverse set of well-paying jobs including, but not limited to, contractors, designers, electricians, engineers, financiers, installers, salespeople, and service technicians.

We advocate for policies that provide the most cost-effective, equitable, and impactful solutions to achieving Hawaii's climate and resilience goals by enabling residents and businesses to invest in and benefit from the transition to clean energy. The broad expansion of customer-sited, distributed energy resources such as rooftop solar, energy storage, and other related equipment offers the most optimal path, and is necessary, to achieving Hawaii's goals. Any undue delay, extra cost, or limiting of space that can be used to produce renewable energy puts these goals at risk. Moreover, adding renewable energy in itself will aid in the preservation of historical buildings due to its impact on lowering carbon emissions that cause climate change and put our state's residents, businesses, and built environment at risk.

HSEA **supports HB 1523** and respectfully asks the committees advance this measure.

Thank you for the opportunity to testify.