

**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

HB 122

NEIL ABERCROMBIE  
GOVERNOR

RICHARD C. LIM  
INTERIM DIRECTOR

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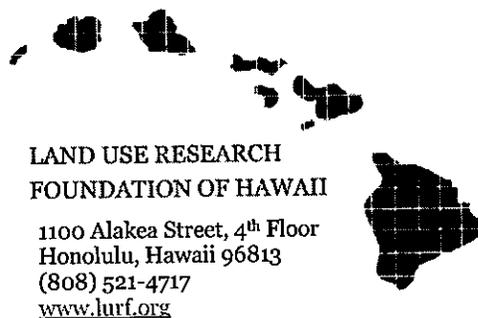
Statement of  
**RICHARD LIM**  
Interim Director  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEES ON  
ENERGY AND ENVIRONMENTAL PROTECTION  
AND  
WATER, LAND, & OCEAN RESOURCES**  
Thursday, February 03, 2011  
9:00 a.m.  
State Capitol, Conference Room 325  
in consideration of  
**HB 122**  
**RELATING TO RENEWABLE ENERGY.**

Chairs Morita and Chang, Vice Chairs Coffman and Har, and Members of the  
Committees.

The Department of Business, Economic Development, and Tourism (DBEDT) support  
HB 122, which extends the repeal date of Act 173 (2009).

The ability of renewable energy developers to subdivide parcels under the Act for  
renewable energy facilities enables financial security and financing. This in turn aids the  
development of renewable energy projects.

Thank you for the opportunity to offer these comments.



February 3, 2011

Representative Hermina Morita, Chair and Representative Denny Coffman, Vice Chair  
Committee on Energy & Environmental Protection  
Representative Jerry Chang, Chair and Representative Sharon Har, Vice Chair  
Committee on Water Land and Ocean Resources

**Testimony of the Land Use Research Foundation of Hawaii in Support of HB 122, Relating to the Renewable Energy. (Extends repeal date of Act 173 (2009), exempting renewable energy projects from subdivision requirements.)**

**Thursday, February 3, 2011 at 9:00 a.m. in CR 325**

My name is David Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable and rational land use planning, legislation and regulation.

LURF is in **support** of HB 122, which would extend the repeal date of Act 173, Session Laws of Hawaii 2009 (Act 173), which exempts renewable energy projects from subdivision requirements on State agricultural or conservation lands. Although LURF would strongly support the permanent extension of Act 173, we also support extending the current July 1, 2013 sunset date to a later date.

**HB 122.** In 2009, Act 173 added a new section to Chapter 201N of the Hawaii Revised Statutes (HRS), now codified in Section 201N-13, HRS and amended Section 201N-1, HRS by defining subdivision requirements. Act 173 recognizes the need to encourage and facilitate renewable energy facilities in Hawaii. Since its passage, Act 173 has assisted in expediting the process for renewable energy investors and assisted in the ability to develop renewable energy facilities, while still protecting the public's health, safety and welfare. The purpose of Act 173 was to facilitate the financing and development of renewable energy projects by allowing leases and easements pertaining to renewable energy projects, together with mortgages and other conveyances as security for finance, to be created, enforced, and recorded, without requiring the landowner to obtain formal subdivision approval.

**LURF's Position.** LURF and its members support and employ solar energy and renewable energy devices and we also **support Act 173**, which would continue to allow and expedite the financing and development of renewable energy facilities by allowing leases and easements pertaining only to renewable energy facilities to be created for mortgages and other conveyances. Obtaining formal subdivision approval for such renewable energy projects would likely deter an investor and moreover delay the renewable energy facility siting process.

Thank you for the opportunity to express our **strong support for HB 122.**