

STAND. COM. REP. NO. 2607

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 2775
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Agriculture and Energy and Environment, to which was referred S.B. No. 2775 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to allow solar energy facilities on agricultural lands with soil classified as overall productivity rating class A, so long as the facilities:

- (1) Do not occupy more than five per cent of the acreage of the parcel, or five acres of land, whichever is lesser;
- (2) Do not materially interfere with farm operations; and
- (3) Cause no more than a minimal adverse impact on existing or potential agricultural uses of the land.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Agriculture Research Center; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau Federation; and four individuals. Your Committees received comments on this measure from the Office of Planning, Land Use Commission, and Department of Agriculture:

Your Committees find that using renewable energy sources to support agricultural activities is important to the State's agricultural industry, environment, and sustainability. Your Committees have concerns, however, about allowing solar energy



facilities on prime class A agricultural lands, which make up only 3.1 percent of the state agricultural district. As a compromise, your Committees conclude that solar facilities should be allowed on class A lands, but only on field roads that are used for vehicular traffic. With this compromise, no prime agricultural land will be sacrificed for solar energy facilities, and the State can increase its renewable energy sustainability efforts.

Accordingly, your Committees have amended this measure by deleting its contents and inserting language to allow solar energy facilities on agricultural lands with soil classified as overall productivity rating class A, if the solar energy facilities are located on a paved or unpaved road that is established by December 31, 2013, and the road allows for vehicular traffic.

As this measure moves forward in the legislative process, your Committees request consideration of the Land Use Commission's testimony to subject solar energy facilities on class A, B, and C agricultural lands to the state special permit process.

As affirmed by the records of votes of the members of your Committees on Agriculture and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2775, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2775, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Agriculture and
Energy and Environment,


MIKE GABBARD, Chair


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2775	Committee Referral: AGL/ENE	Date: 2/27/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
CHUN OAKLAND, Suzanne	X			
IHARA, Jr., Les				X
SLOM, Sam	X			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes