

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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RICK BLANGIARDI  
MAYOR



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DIRECTOR

JIRO SUMADA  
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March 21, 2023

The Honorable Lynn DeCoite, Chair  
and Members of the Committee on Energy,  
Economic Development, and Tourism  
The Honorable Glenn Wakai, Chair  
and Members of the Committee on Public Safety and  
Intergovernmental and Military Affairs  
Hawaii State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chairs DeCoite, Wakai, and Committee Members:

**Subject: House Bill No. 419, HD 1  
Relating to Residential Photovoltaic Energy  
Generating Systems**

The Department of Planning and Permitting (DPP) **has concerns** regarding House Bill No. 419, HD 1, and provides additional suggested language for inclusion.

This Bill would allow the installation of off-grid residential photovoltaic energy generating systems to be exempt from county permitting requirements. The exemption could result in potential suspension of the counties from the National Flood Insurance Program (NFIP) and the loss of federal flood insurance and certain forms of Federal Disaster Assistance.

Pursuant to Federal Regulations under 44 CFR§59.24, State and county participation in the NFIP requires floodplain development permits for any work encroaching within Special Flood Hazard Areas (SFHAs) identified on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps. Any State or county law that exempts construction projects in the SFHAs from permit requirements, is not consistent with the NFIP and jeopardizes our continued eligibility and participation.

To ensure State and county continued eligibility and participation in the NFIP, we recommend adding language to sub-paragraph (a) to read as follows:

The Honorable Lynn DeCoite, Chair  
and Members of the Committee on Energy,  
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House Bill No. 419, HD 1  
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“(a) Notwithstanding any law to the contrary, each county shall exempt from county permitting requirements the installation of off-grid residential photovoltaic energy generating systems on the rooftops of residential properties if the installation complies with all other applicable state and county building and zoning code requirements, and provided the residential property is not located in a Special Flood Hazard Area as identified on the current Federal Emergency Management Agency’s Flood Insurance Rate Maps.”

Accordingly, we urge that Bill No. 419, HD 1, be passed by your committees only with the proposed amendment.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dawn Takeuchi Apuna', with a long horizontal flourish extending to the right.

Dawn Takeuchi Apuna  
Director

**HB-419-HD-1**

Submitted on: 3/18/2023 6:06:51 PM

Testimony for EET on 3/21/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Will Caron	Individual	Support	Written Testimony Only

Comments:

Please support HB419 HD1.

**HB-419-HD-1**

Submitted on: 3/19/2023 1:58:07 PM

Testimony for EET on 3/21/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

HB419 addresses the appalling obstruction of Hawaii's conversion to renewable energy due to permitting delays by exempting off-grid installations from the need for a permit. Off-grid installations pose no risk to the grid or anybody else's energy supply and are fairly simple jobs that many companies and individuals are competent to perform. If the government cannot assist in the transition to sustainable energy, it needs to get out of the way.

**HB-419-HD-1**

Submitted on: 3/20/2023 1:36:50 PM

Testimony for EET on 3/21/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sean Tiwanak	Individual	Support	Written Testimony Only

Comments:

I support HB419, but I would hope that the permitting process could be streamlined for residential PV that will be connected to the Hawaii power grid.

It has been nearly a year since we started to process of getting PV and battery backup at our home. It has already been 9 months that our permit application has been with DPP. I was just informed that it will be several more months before our permit will be approved through the second screening.

This has cost us thousands of dollars in electric bills that were not offset by PV. This process has been frustrating and has taken far longer than reasonably expected for something that is commonplace and that is a stated goal in our energy policy.

Something has to be done to help homeowner like us who want to take advantage of HECO incentives and buyback of excess power. By the time we are approved over a year will have passed. It will be a few weeks before we get through the first prescreen. I was informed by DPP that after that there are approximately 2500 permits before ours. Our permit was submitted on July 18, 2022.

We will be lucky if our permit is approved by July 2023. This is not acceptable. It is a burden to homeowners and I'm sure it is a major issue for PV companies and contractors. I would have liked to have seen this bill address this issues as well.

Thank you

Sean K Tiwanak