



LAND USE RESEARCH
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Via E-Mail

May 22, 2009

Via E-Mail to Cathy.Veillard@hawaii.gov

Honorable Linda Lingle
Governor, State of Hawaii
Attn: Ms. Cathy Veillard
Policy – Office of the Governor
State Capitol, Room 417
Honolulu, Hawaii 96813

Re: Support of HB 590 HD2 SD2 CD1 - Relating to Renewable Energy Facilities (Allows permit approval if no further action or processing within 18 months of completed application.)

Dear Governor Lingle:

My name is Dave 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, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawai'i's significant natural and cultural resources and public health and safety.

LURF **supports HB 590 HD2 SD2 CD1**, which sets a time limit for the filing of the diligence report with the energy resources coordinator; and allows the energy resources coordinator to deem a permit approved if no further action or processing is reported by the permitting agency within eighteen months of the completed application.

HB 590 HD2 SD2 CD1. By way of background, Act 207 Session laws of Hawaii 2008, established the renewable energy facility siting process to expedite the processing and approval or denial of any permit plan application for the siting, development, construction and operation of a renewable energy facility. The purpose of this bill is to further expedite the process and give the energy resources coordinator the necessary power and authority to expedite the development of renewable energy facilities, while still protecting the public's health, safety and welfare.

This measure proposes to amend Section 201N-4, subsection (g) of the Hawaii Revised Statutes as follows:

"(g) Each appropriate state and county agency shall diligently endeavor to process and approve or deny any permit in the permit plan no later than twelve months after a completed permit plan application is approved by the coordinator. If the coordinator has given at least thirty days written notice stating that the permit plan application is subject to this section and a permit is not approved or denied within twelve months after approval of a completed permit plan application, the permitting agency, within thirty days following the end of the twelve-month period, shall provide the coordinator with a report identifying diligent measures that are being taken by the agency to complete processing and take action as soon as practicable. If no further processing and action are reported by the permitting agency within five months following the end of the thirty-day agency report period, the coordinator may deem the permit approved. If a permitting agency fails to provide this report and if the permit has not been approved or denied within eighteen months following the approval of a completed permit plan application by the coordinator, the permit shall be deemed approved." (New Material is underscored.)

LURF'S POSITION. LURF and its members support and employ solar energy and renewable energy devices and we also **support HB 590 HD1 SD2 CD1**, which will expedite the permitting process for any investor wanting to build a renewable energy facility.

On February 17, 2009, Joshua Strickler, Renewable Energy Facilitator of the Department of Business, Economic Development and Tourism made a presentation before the House Energy and Environmental Protection Committee. In that presentation, Mr. Strickler included the following facts in his presentation:

- There are over thirty renewable energy companies interested in investing in Hawaii;
- Most investors recognize the potential of Hawaii's natural resources to produce clean energy, particularly ocean waves, water, wind, sun and agricultural production;
- In some cases, there may be up to 109 permits that may be required for a renewable energy project with 25 different Federal, State and County agencies;
- Expediting the permitting process for renewable energy facilities will reassure energy technology investors that the facility can be built in a timely fashion.

Based on the current circumstances, assistance with the expediting of the permitting process will increase the interest of renewable project investments in Hawaii and help achieve the goal of fossil fuel independence. Further, this bill will foster predictability and certainty in the permitting process for renewable energy projects, which will reduce Hawaii's reliance on fossil fuels and will assist the State in meeting its 2030 renewable energy mandates for the health and welfare of the residents of Hawaii.

Based on the above, we respectfully request your **favorable consideration of HB 590 HD1 SD2 CD1.**

Thank you for the opportunity to express our **support for HB 590 HD1 SD2 CD1.**