H.B. NO. 352

A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1   SECTION 1. The legislature finds that Act 97, Session Laws

2   of Hawaii 2015, requires electric utilities in the State to

3   achieve a one hundred per cent renewable portfolio standard by

4   December 31, 2045, to transition the State away from imported

5   fossil fuels and toward locally available renewable energy

6   sources.

7   The legislature further finds that to encourage the timely

8   build-out of a diverse, resilient, and reliable portfolio of

9   low-cost renewable energy generation and storage assets, Hawaii

10   must lower the administrative barriers that constrain deployment

11   of residential and commercial-scale distributed energy

12   resources.

13   The legislature further finds that the permitting review

14   process currently adds substantial time and cost to the adoption

15   of residential solar and energy storage projects and that self-

16   certification by duly licensed design professionals can

1   significantly reduce this time, cost, and administrative burden

2   without sacrificing public health and safety.

3   The legislature further finds that unnecessary and

4   misapplied rules in federally designated flood zones add undue

5   time and cost to the installation of affordable and reliable

6   renewable energy systems in vulnerable frontline communities,

7   significantly hampering efforts to bolster their resiliency and

8   protection from risk.

9   The purpose of this Act is to reduce administrative

10   barriers to the deployment of energy generation and storage

11   technology systems by requiring government entities in the State

12   to implement permitting self-certification and streamlined,

13   common-sense permitting processes in federally designated flood

14   zones real time by   .

15   SECTION 2. Chapter 196, Hawaii Revised Statutes, is

16   amended by adding two new sections to be appropriately

17   designated and to read as follows:

18   "**§196-   Self-certification; solar projects; energy**

19   **storage projects.** (a) Any government entity in the State that

20   issues building permits shall establish a self-certification

21   process for behind-the-meter, customer-sited solar distributed

1 energy resource systems that deems permit applications approved

2 and allows applicants to proceed to build the solar distributed

3 energy resource system immediately; provided that the government

4 entity receives written notice from:

5 (1) The project owner, or an agent of the project owner,

6   that the owner or agent requests issuance of the

7   permit and is prepared to pay any required fees; and

8 (2) The projects' relevant professionals are licensed in

9   their respective fields and that the installation of

10   the project shall comply with all applicable codes and

11   laws.

12 (b) The self-certification process shall allow a project's

13 relevant professionals to conduct permit reviews and inspections

14 using commercially available software and the professionals'

15 approvals shall be accepted without additional documentation;

16 provided that the submitted documentation demonstrates

17 compliance with all applicable codes and laws. In addition, the

18 self-certification process shall allow a project's relevant

19 design professionals to utilize offline field reports for

20 inspections that use photos and videos submitted remotely to

21 ensure faster, asynchronous reviews without added cost or

1 delays. These measures ensure efficient, standardized

2 permitting and inspection for behind-the-meter, customer-sited

3 solar distributed energy resource systems.

4   (c) If the requirements of subsection (a) and (b) are

5 satisfied, the applicable government entity in the State that

6 issues building permits shall issue the building permit number

7 and close the permit within thirty days of submittal of the

8 application.

9   (d) As used in this section:

10   "Offline field report" means a report that uses photos and

11 videos taken of the project on site and sent to a permitting

12 authority to allow inspection remotely and asynchronously.

13   "Solar distributed energy resource system" means an

14 assembly of solar energy-generating or energy-storing materials,

15 or any combined assembly of solar energy-generating and energy-

16 storing materials, and the related infrastructure necessary for

17 its operation.

18   **§196-   Solar distributed energy resource systems;**

19 **No-Rise/No-Impact declaration requirements; exemption from**

20 **Federal Emergency Management Agency.** Any government entity in

21 the State that issues building permits shall exempt behind-the-

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1 meter, customer-sited solar distributed energy resource systems

2 from the Federal Emergency Management Agency No-Rise/No-Impact

3 declaration requirements; provided that the project:

4   (1) Shall comply with all applicable codes and laws;

5   (2) Is properly installed on an already existing

6   structure; and

7   (3) Does not create additional obstruction within the

8   designated flood zone.

9 The value of the solar and storage distributed energy resource

10 systems shall not be included in Federal Emergency Management

11 Agency flood zone valuation calculations."

12   SECTION 2. New statutory material is underscored.

13   SECTION 3 This Act shall take effect on July 1, 2025.

14

INTRODUCED BY: _Nicole E. Lowen_

JAN 1 6 2025

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Report Title:
Solar Distributed Energy Resource Systems; Permitting
Self-Certification; Federal Emergency Management Agency Flood
Zone No-Rise/No Impact Declaration Requirements

Description:
Authorizes certain state government entities to establish a
self-certification process for behind-the-meter, customer-sited
solar distributed energy resource systems and exempt the systems
from the Federal Emergency Management Agency No-Rise/No-Impact
declaration requirements under certain circumstances.

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