

STAND. COM. REP. NO.

97

Honolulu, Hawaii

FEB 04, 2025

RE: H.B. No. 366  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 366 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require contested cases, environmental assessment cases, or environmental impact statement cases involving renewable energy projects over twenty megawatts in size, except cases that involve any form of incineration, to be appealed from an agency's decision directly to the Hawaii Supreme Court for final decision and prioritized and decided expeditiously.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i and Kaua'i Island Utility Cooperative. Your Committee received testimony in opposition to this measure from 350Hawaii.org and Hawaii Clean Power Alliance. Your Committee received comments on this measure from the Office of Planning and Sustainable Development; Public Utilities Commission; and Life of the Land.

Your Committee finds that the State can support renewable energy projects by expediting the permitting process for projects that align with its clean energy goal. This measure addresses this need by requiring contested cases, environmental assessment

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cases, or environmental impact statement cases involving certain renewable energy projects to be appealed from an agency's decision directly to the Hawaii Supreme Court for final decision and prioritized and decided expeditiously.

Your Committee has amended this measure by:

- (1) Clarifying that cases involving the determination of a finding of no significant impact for an environmental assessment shall be appealed directly to the Hawaii Supreme Court;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 366, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 366, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



NICOLE E. LOWEN, Chair



