



HB2690 HD1
RELATING TO GEOTHERMAL RESOURCES
House Committee on Finance

February 28, 2012

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **OPPOSES** HB 2690 HD1, which would amend several chapters of current statute to allow greater geothermal resource exploration and development.

OHA appreciates the effort to streamline alternative energy exploration and believes that HB 2690 HD1 addresses many former concerns about ensuring proper assessment of environmental impacts. However, the bill still undoes an entire area of law created to respond to the unique hazards created by geothermal exploration and development and to ensure opportunity for public comment in the affected communities.

Notably, this draft has removed the section exempting geothermal exploration from the Environmental Assessment and Environmental Impact Statement requirements of HRS § 343. Creating this exemption would have drilled a hole through layers of cultural and environmental protections established by this legislature over many years. DLNR is currently seeking an exemption from the environmental review process through the Environmental Council exemption process, as indicated by the Environmental Council Exemption Committee Meeting Agenda of February 16, 2012. This agency is the proper authority to determine whether such a sweeping exemption is appropriate, as it has the expertise to carefully consider the cultural and environmental hazards inherent in exploration and development of varying degrees.

However, HB2690 HD1 also proposes repealing the subzone provisions in HRS § 205, which would completely controvert the intent of this legislature to assure that geothermal development would only occur "in areas of the lowest potential environmental impact." Act 296, § 1, 1983 Haw. Sess. Laws 636. Moreover, it is unclear what protections will remain for the most fragile areas of the conservation district if geothermal resource exploration and development are labeled as permitted uses in all zones of the conservation district.

The full range of geothermal exploration and development environmental impacts is still unknown. It is unwise to experiment with risky technology in the most sensitive of protected regions, including fragile watershed areas and the habitats of

threatened or endangered animal and plant species. Further, given that geothermal exploration and development may result in emission of noxious gases and noise and ground surface disturbance, the geothermal resource subzone provisions currently in place provide a necessary additional layer of protection and procedural safeguards. These include a public hearing in the proposed affected community and an opportunity for contested case hearing.

Therefore, OHA urges the committee to HOLD HB2690 HD1. Mahalo for the opportunity to testify on this important measure.



Testimony of C. Mike Kido
External Affairs
The Pacific Resource Partnership

COMMITTEE ON FINANCE
Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice Chair

HB 2690, HD1 – Relating to Geothermal Resources
Tuesday, February 28, 2012
2:00 pm
Conference Room 308

Aloha Chair Oshiro, Vice Chair Lee and Members of the Committee:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters, formerly the Hawaii Carpenters Union.

HB 2690, HD1 moves the state closer to its goal of energy independence by streamlining the geothermal exploration process in all the state land use districts and conservation district zones. Appropriate environmental reviews would be conducted should the explorations prove promising and an entity wishes to take the next step in geothermal resources development.

We respectfully ask for your support on HB 2690, HD1. Thank you for the opportunity to share our views with you.