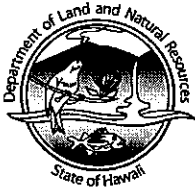


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIKOOLOAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committees on
ENERGY AND ENVIRONMENTAL PROTECTION
and
WATER, LAND, & OCEAN RESOURCES

Tuesday, March, 13, 2012
10:30 P.M.
State Capitol, Conference Room 325

In consideration of
SENATE BILL 2001, SENATE DRAFT 1
RELATING TO THE PUBLIC LAND TRUST

Senate Bill 2001, Senate Draft 1 proposes to amend the Hawaii State Planning Act to include promoting the development of indigenous renewable energy resources that are located on public trust land as a source of firm power to achieve state energy objectives. The Department of Land and Natural Resources (Department) supports this measure as it is consistent with the Administration's goals and initiatives to promote renewable energy sources.

The Department is tasked with the management of geothermal resources and its development to protect the health and safety of the public and to ensure continued viability of the resource. Geothermal resources development in Hawaii is a priority and has contributed to energy diversification in the State. Geothermal energy has been proven as a viable component to meet the State's renewable energy goals and reduce the dependence on imported fossil fuels.

Thank you for the opportunity to comment.



Association of Hawaiian Civic Clubs

P. O. Box 1135

Honolulu, Hawai'i 96807

TESTIMONY OF PRESIDENT SOULEE STROUD

SENATE BILL 2001SD1 (SSCR2519) RELATING TO THE PUBLIC LAND TRUST

JOINT HOUSE COMMITTEES ON
ENERGY & ENVIRONMENTAL PROTECTION
and

WATER, LAND & OCEAN RESOURCES
Tuesday, March 13, 2012; 10:30a.m.; Room 325

Aloha Chairman Coffman of the House Committee on Energy and Environmental Protection, Chairman Chang of the House Committee on Water, Land and Ocean Resources and members of the joint committees. I am Soulee Stroud, President of the Association of Hawaiian Civic Clubs here to support Senate Bill 2001SD1(SSCR2519) Relating to the Public Land Trust.

This bill amends Section 226-18, Hawaii Revised Statutes, by adding two new sections that: (1) Promote development of geothermal energy resources located on public trust land as an affordable and reliable source of firm power; and (2) Ensure that the development of energy resources on public trust land directly benefits native Hawaiian and the public beneficiaries of the trust. Simply put, these amendments open the door for a reliable source of power on Hawaii Island and provide resources to the public land trust.

SB2001SD1 goes a step further by adding that **all** indigenous renewable energy resources located on public trust land should be promoted and developed for Native Hawaiian and public beneficiaries of the trust.

In consideration of what is successfully being done on State land at the Natural Energy Lab at Keahole Point, and in keeping with the intent of the Senate committee, the Association of Hawaiian Civic Clubs suggests an amendment to this bill by adding submerged lands and the

conversion of deep water columns as potential sources of renewable energy resources and hence, resources for the public land trust.

A similar issue was taken up at the Hawaiian Civic Club Convention held on Oahu in October, 2011, as Resolution L11-69, Urging the State of Hawaii to Adopt an Energy Policy that Moves the State Towards Energy Independence By the Development of Public Energy Assets on Ceded Lands and To Fulfill Its Fiduciary Obligation as a Trustee of the Public Trust. Following deliberation in committee the resolution was adopted with minor amendments by the House of Delegates.

We strongly support SB2001SD1 and urge its passage.

Contact: jalna.keala2@hawaiiantel.net



Date: Tuesday, March 13, 2012
Time: 10:30 am
Place: Conference Room 325
Committees: Senate – EEP / WLO, HAW, FIN

Re: SB 2001 SD1 (SSCR2519) – Relating to the Public Land Trust

Testimony in Strong Support

Aloha Senators,

The Innovations Development Group (IDG) is a Hawaii based renewable energy Development Corporation owned by Native Hawaiians. It was created to facilitate the development of renewable energy resources of native people, and in summer 2011 presented its development model to legislators of the Energy & Land Committees.

The IDG strongly supports this measure.

This measure promotes geothermal energy as the most reliable & affordable source of FIRM power for Hawaii, and lays a clear foundation to ensure that this source of firm power will be developed in a manner that benefits those who are the legal beneficiaries of the public trust.

30 years ago Hawaiians fought geothermal development because private sector developers brought filthy cheap technology to Hawaii and proposed development of these trust resources in a manner that was disrespectful of Hawaiian Culture and environmentally toxic. Hawaiian sued to correct these abuses & won at the Supreme Court level, establishing a precedent for the protection of Hawaiian cultural rights including the right to worship & gather.

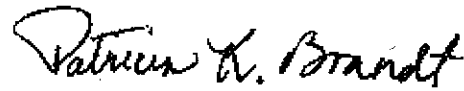
Today, we all recognize that geothermal renewable energy resources are “minerals” under State law & as such are assets of the Public Trust. The time has come for the State of Hawaii to prioritize the development of these precious resources in order to ensure that our State can become energy self-sufficient and independent in future years. In addition, the IDG believes that Public Trust energy resources should be developed in a way that brings direct and tangible benefits to the ‘consumers’ of our State who also happen to be the beneficiaries of the public trust.

The IDG has created & employed a business model which guarantees direct benefits to the public & native Hawaiian including a fair rate to rate payers, discounted energy to small business, scholarships, and the establishment of a Community Trust.

We believe that all those pursuing the development of public trust energy resources should also provide a benefit package to those who are the owners of the resource. In this time of fiscal crisis, this priority will bring badly needed revenues into the State coffers.

Please support this measure.

Kind Regards,

A handwritten signature in black ink, reading "Patricia K. Brandt". The signature is written in a cursive, flowing style.

Patricia K. Brandt
CEO, IDG



Indigenous Consultants, LLC

Mililani B. Trask, Principal

P.O.Box 6377 ♦ Hilo, HI 96720

Mililani.trask@gmail.com



Date: Tuesday, March 13, 2012

Time: 10:30 am

Place: Conference Room 325

Committees: Senate – EEP / WLO, HAW, FIN

Re: SB 2001 SD1 (SSCR2519) – Relating to the Public Land Trust

Aloha Representatives,

Indigenous Consultants (IC) is a Hawaii based, indigenous LLC owned and operated by Native Hawaiians. It was created to assist indigenous peoples in developing their renewable energy resources in ways that are: Culturally appropriate, environmentally green and sustainable, socially responsible and economically equitable and affordable. For several years the IC has worked with Innovations Development Group in New Zealand and indigenous Maori developing geothermal resources, which are trust assets of Maori Land Trusts. In addition, the IC has acted as a consultant to other indigenous people in Hawaii and Asia who are addressing development of their trust renewable energy resources in ways that; directly benefit their people, bring in revenues, create small business opportunities and ensure fair & affordable rates to consumers, including themselves and their communities.

Testimony in Strong Support

This measure promotes geothermal energy as the most reliable & affordable source of FIRM power for Hawaii, and lays a clear foundation to ensure that this source of firm power will be developed in a manner that benefits those who are the legal beneficiaries of the public trust.

30 years ago Hawaiians fought geothermal development because private sector developers brought filthy cheap technology to Hawaii and proposed development of these trust resources in a manner that was disrespectful of Hawaiian Culture and environmentally toxic. Hawaiian sued to correct these abuses & won at the Supreme Court level, establishing a precedent for the protection of Hawaiian cultural rights including the right to worship & gather.

Today, we all recognize that geothermal renewable energy resources are "minerals" under State law & as such are assets of the Public Trust. The time has come for the State of Hawaii to prioritize the development of these precious resources in order to ensure that our State can become energy self-sufficient and independent in future years. In addition, the IDG believes that Public Trust energy resources should be developed in a way that brings direct and tangible benefits to the 'consumers' of our State who also happen to be the beneficiaries of the public trust.

The IC has helped to create & employ a business model which guarantees direct benefits to the public & native Hawaiian including a fair rate to rate payers, discounted energy to small business, scholarships, and the establishment of a Community Trust.

We believe that all those pursuing the development of public trust energy resources should also provide a benefit package to those who are the owners of the resource. In this time of fiscal crisis, this priority will bring badly needed revenues into the State coffers.

Please support this measure.

Regards,

A handwritten signature in black ink, appearing to read "M. B. Trask", with a horizontal line extending to the right.

Mililani B. Trask – Indigenous Consultants LLC



March 12, 2012

Committee Chairs & Members of EEP

RE: Strong Support for Senate Bill 2511 – Relating to Environmental Protection

Hearing on Tue., Feb. 13, State Capitol, Conf. Rm. 325, 9:00am.

Dear Chair Coffman, Vice Chair Kawakami and Committee Members,

My name is Stuart Coleman, and I am the Hawaii Coordinator of the Surfrider Foundation. With more than 5000 activists and members across the state, the Surfrider Foundation strongly supports passage of SB2511, a bill designed to address the harms of single-use plastic and paper check out bags that are degrading the environment, harming marine life and overflowing our landfills. As part of a broad coalition of groups, Surfrider supports this statewide fee bill on all throwaway bags in conjunction with the existing plastic bag bans on Maui, Kauai and now on the Big Island.

According to the EPA, over a million sea birds, marine mammals and sea turtles die each year due to ingestion and entanglement in plastics. This bill would help people make the switch to reusable tote bags and help protect these sea creatures. If this many pets were killed each year by plastics, can you imagine the public uproar?! Yet each year, an estimated 40,000 Laysan albatross chicks die just on Midway alone, but we rarely hear about them. Because many of these creatures are endangered, we have a legal and moral obligation to protect them.

On Feb. 6, the Reserve Advisory Council (RAC) of NOAA's Office of National Marine Sanctuaries passed a resolution stating, "The Council believes a fee on single-use plastic and paper bags would reduce marine plastic pollution and litter throughout the islands and encourage the use of reusable bags." Approximately, 500 million single-use bags are used in Hawaii each year, and far too many end up polluting our streets, streams, coastlines and oceans. This bill will protect marine life, improve our natural environment and enhance the beauty of Hawaii for locals and visitors alike.

Governments across the world have successfully reduced plastic bag use, either through plastic bag bans, or through fees or taxes. Washington, DC passed a similar Bag Fee Bill in 2010, and consumption of plastic bags decreased 80% in the first year and raised funds for a program to clean up the Anacostia River in our nation's capitol. Similarly, SB2511 has provisions that will dramatically reduce the proliferation of plastic and paper bags, while also helping fund an important DLNR program to protect Hawaii's watersheds and sources of water. This offset fee is not a tax because it can be avoided when consumers bring reusable bags instead of wasting single-use plastic and paper bags, which is the whole purpose of the bill.

The following countries have all taken measures to reduce their plastic bag usage in an effort to protect their precious natural resources and valuable coastlines: Ireland, China, Tanzania, Taiwan, Australia, Italy, and South Africa. And many cities and counties have followed their lead. Eventually, all state governments will realize how economically wasteful and environmentally

damaging single-use plastics are. Will our state be a leader or a latecomer in this zero-waste movement? Hawai'i will only benefit by reducing our waste stream.

The Surfrider Foundation is supporting SB2511 because our mission is to preserve the health of our oceans and the quality of our beaches. Plastic bags that end up in the ocean or on our coastlines look like jellyfish and are often ingested by sea turtles, seabirds, and marine mammals, and they also adversely affect the entire marine food web. Because plastic does not biodegrade, it only breaks down into smaller and smaller pieces called "micro-plastics," which are often consumed by fish and filter feeders that mistake them for food. In the ocean, these micro-plastics attract toxic chemicals and persistent organic pollutants like PCB's, which accumulate and magnify as they make their way up the food chain and into our seafood. So this is a human health issue as well as an environmental hazard.

Single-use plastic bags are also a threat to our wallets, and everyone bears the cost of these so-called "free" bags. One California study showed that taxpayers spend as much as \$0.17 on each "free" plastic bag because they subsidize the recycling, collection, and disposal of these toxic tumbleweeds. Retailers have to pay for each bag (a price which is incorporated into the price of food and goods, then passed on to consumers) when they provide a consumer with a so-called "free" plastic bag. By reducing the amount of disposable plastic and paper bags in the environment and our landfills, the counties will save money from having to clean them up.

Over the last four years, I have spoken to scores of citizen groups and thousands of students across Hawaii about marine plastic pollution, the North Pacific Garbage Patch and the other four Gyres just like it in world's oceans. When I tell them about our legislative efforts to reduce single-use bags, the support for this kind of bag bill has been overwhelming. We have been working with a diverse and growing coalition of educational institutions, environmental groups, local businesses and grocery stores, government agencies like DLNR and DOH—more than 50 organizations and thousands of citizens. All of us are committed to passing this bill because we believe it's a win-win-win situation for the environment, the economy and the health of our people and our oceans.

Just as many countries in Europe, Asia, Africa and around the world have introduced legislation to reduce the proliferation of single-use grocery bags, I hope you all help us become one of the leaders in the country on this issue. Just as Hawaii led the way in many health care and environmental reforms in the past, we are now poised again to be one of the first states in the country to pass statewide legislation to reduce the pollution and waste from plastic and paper bags. The people of Hawaii have been waiting for this kind of popular, common sense bill, and the eyes of the world are watching to see what we will do. Mahalo for your time and consideration and please feel free to contact me if you have any questions or suggestions.

Sincerely,

Stuart H. Coleman
Hawaii Coordinator
Surfrider Foundation
808-942-3841

kawakami1 - Marissa

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 09, 2012 3:19 PM
To: EEPtestimony
Cc: coreen.williams@gmail.com
Subject: Testimony for SB2001 on 3/13/2012 10:30:00 AM

Testimony for EEP/WLO 3/13/2012 10:30:00 AM SB2001

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: COREEN WILLIAMS
Organization: Individual
E-mail: coreen.williams@gmail.com
Submitted on: 3/9/2012

Comments: