

**HB-913**

Submitted on: 2/14/2023 5:19:45 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

SUPPORT! NELHA should be required to conduct certain activities in an environmentally appropriate manner.



# NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY



An Authority of the State of Hawaii attached to the Department of Business, Economic Development & Tourism

Statement of  
**Gregory P. Barbour**  
**Executive Director**

Natural Energy Laboratory of Hawaii Authority  
before the

## **HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

Thursday, February 16, 2023  
9:15 am

State Capitol, Conference Room 325 & Videoconference

in consideration of

### **HB 913 RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY**

The Natural Energy Laboratory of Hawaii Authority (NELHA) is pleased to comment on HB 913 which amends Chapter 227D, Hawaii Revised Statutes. This measure adds language to the NELHA enabling Legislation. We believe that over the past 45 years and to date, we have concrete actions and activities that successfully meet the objectives of the added language.

The measure adds the statement “environmentally responsible and culturally sensitive and appropriate” to NELHA’s purpose statement in 227-D2. Similar language is already included in our mission statement. Annual reports for over 30 years and as far back as 1992 state: “To develop and diversify the Hawaii economy by providing resources and facilities for energy and ocean related research, education and commercial activities in an environmentally

sound and culturally sensitive manner". We believe that we have been successful in following and adhering to our mission statement.

This measure adjusts the makeup of the NELHA Board of Directors (BOD) by stipulating that at least one member shall be a cultural practitioner representing the ahupua'a of Ooma or Kalaoa and by increasing the number of members on the NELHA BOD from 12 to 13 with the new member being a member of the University of Hawaii's Institutional Animal Care and Use Committee (IACUC). We believe that cultural representation is best served by establishing a Cultural Advisory Committee for NELHA. This effort has already been initiated. This committee will consist of 7-11 members from the Island of Hawaii to meet as necessary to address salient issues as they arise. It is also important to note that new leases are always vetted and reviewed by our Research Advisory Committee (RAC) as established statutorily via Chapter 227D. This committee currently has nine members and six of these members have Doctorate degrees in various ocean related fields. We feel that adding a cultural practitioner from the Cultural Advisor Committee and an IACUC member to our RAC is an effective and appropriate solution and will eliminate potential duplication. We already have reached out to culture practitioners in West Hawaii and discussed this with one member of the IACUC's sub-committee for fisheries.

This measure adds language to NELHA's duties to include the statement that NELHA shall establish, manage, and operate facilities, in compliance with all county, state, and federal laws, rules, regulations, and licensing and permitting requirements. We faithfully follow all laws and regulations that pertain to our operations. NELHA's last audit uncovered no instances of violating laws, rules, and regulations.

The measure adds language that NELHA shall "give back to the community by engaging and supporting community outreach and education as it relates to activities within the park to

promote and cultivate a more diverse Hawaii-grown workforce in science, technology, engineering, and math industries through free programs for local educators, students, educational institutions within Hawaii, and state and county-sponsored community groups". Place based training and internship programs are very important for NELHA to assist Hawaii in developing a workforce for the future especially in new sectors related to economic diversification and "green sustainable economy". Some notable recent accomplishments include our internship program where over 50 interns have participated, organizing science fairs held in our Research Campus for the past 10 years, and outreach to local high schools. We have been working with the University of Hilo over the past year to develop a pathways program and as recently as several months ago organized a group of approximately 15 officials and professors to tour five businesses at NELHA to get a better understanding of the kinds of jobs and skills sets needed to better design courses for a new workforce. We plan to replicate these visits with participants from Palamanui Community College and high schools in West Hawaii over the coming months. NELHA has supported a charter school, for over 30 years by leasing property and providing sea water utilities at a subsidized rate of approximately 1/3 of our normal rates to businesses. Finally, for over 15 years and until recently, NELHA provided 5,000 sf and utilities at no charge, amounting to a "forgone" revenue to NELHA well in excess of \$1 million, to a non-profit "Friends of NELHA" that was focused on educating individuals and groups regarding the mission and businesses at HOST Park.

The measure adds language that we shall "Provide a space and opportunities for culturally appropriate gatherings, education, and community engagement to preserve the history of Keahole Point and the ahupua'a of Ooma and Kalaoa." In this respect, NELHA provides a very significant amount of meeting space and opportunities to West Hawaii. Very

little of the two-mile coastline which NELHA administers would be accessible without the significant infrastructure we have developed. This includes shoreline access, trails and a 20-acre beach park open to the public daily. Maintaining the beach park costs NELHA over \$50,000 annually and we estimate that it is used by between 50,000 and 100,000 residents annually. NELHA also administers a fishing-permit program which provides up to 8 permits per day at no charge. We provide space in our research campus for meetings at no charge provided the meetings fall within our mission statement. It is also important to note that we recently designed a new pavilion for the beach park at a cost of approximately \$300,000 to NELHA to serve as a visitor center and community outreach facility.

Thank you for the opportunity to offer these comments and we look forward to continuing our mission driving a sustainable green economy.

**HB-913**

Submitted on: 2/15/2023 9:12:27 AM

Testimony for EEP on 2/16/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Inga Gibson	Pono Advocacy	Support	Remotely Via Zoom

Comments:

Dear Chair Lowen and Committee members,

Thank you for the opportunity to support HB913 and the necessary changes to existing statute as it relates to NELHA. This would help to ensure that business and research endeavors consider the potential environmental and cultural impacts and require input and expertise from cultural practitioners and scientists.

Thank you

Inga Gibson

Pono Advocacy

**HB-913**

Submitted on: 2/15/2023 9:39:48 AM

Testimony for EEP on 2/16/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Larson	Hawaii Island Ocean Advocates	Support	Written Testimony Only

Comments:

**Testimony in Support of HB913**

**My name is Nicole Larson and I am an environmental educator and sustainability consultant on the island of Hawaii. I am testifying in strong support of HB913, which would help to refine and improve the statutory duties of the NELHA to ensure that all activities are conducted in a culturally sensitive and environmentally appropriate manner. There is so much amazing technology happening right here at the HOST Park, it is a huge benefit to the island and state to have these resources available to us. Therefore, it is imperative for the legislature to hold businesses accountable to follow best practices in both environmental management, animal husbandry, and to acknowledge the importance of collaboration with cultural Hawaiian practitioners who have managed these lands for generations before us.**

**This new era of climate change we are in requires us to rapidly demobilize from carbon, while also rapidly educating the residents of Hawaii to reach a level of eco literacy and civic engagement that will help create a resilient Hawaii. This can happen through both improved science education opportunities, and clearly defined career paths to jobs in these emerging industries.**

**The HOST Park is an amazing place to be able to highlight the clean tech, aquaculture and energy strategies that can lead to island resilience, there is a fanatastic opportunity to work in collaboration with these businesses to create education programs, internship programs and outreach materials to show Hawaii residents the numerous ways that these technologies can help to provide a sustainable future for generations to come.**

**Our island has an opportunity to face the rising seas of our future with science education and career-connected learning opportunities that can help to provide good jobs helping to protect and preserve our island home.**

**The future of Hawaii is dependent upon utilizing the best of science and technology, and combining this with indigenous Hawaiian practices of land and resource management. Incorporating cultural practices and wisdom with sound science, that is the way forward. I am humbled to be alive and in this part of history where we can acknowledge the mistakes that have been made, and work together to preserve this planet for future generations. Locally, HB913 is one small way that we can support moving**

**towards a resilient future for Hawaii. Please support this bill and help to further the amazing progress happening with NELHA and the HOST park.**

**Mahalo for the opportunity to testify,**

**Nicole Larson**



**HB-913**

Submitted on: 2/15/2023 2:19:15 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cynthia Punihaole Kennedy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nicole Lowen, Vice Chair Elle Cochran, and the members of the House Committee on Energy & Environment Protection

I support this Bill that requires the Authority to conduct certain activities in a culturally sensitive and environmentally appropriate manner and to engage in community outreach and education. I support the amendments to the membership of the Natural Energy Laboratory of Hawai'i Authority board of directors.

Mahalo

Cynthia Punihaole Kennedy

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Testimony Supporting HB913: Relating to The Natural Energy Laboratory of Hawai'i Authority  
Chair Lowen and Members of the House Committee on Energy and Environmental Protection,

My name is Thomas H. Daniel. I received a Ph.D. in Oceanography from UH Mānoa and retired from the State of Hawai'i after 25 years of service, 21 of those as the Scientific/Technical Director of the Natural Energy Laboratory of Hawai'i Authority at Keahole Point and 3 ½ years as Facility Engineer for West Hawai'i Hospitals with HHSC. I initially moved to Hawai'i in 1967 and have resided on the Big Island and been involved in the West Hawai'i Community since 1982. As Technical Director of NELHA, I worked on many ocean energy initiatives, and I was awarded the 2020 Uehara Prize for my leadership in the development of Ocean Thermal Energy Conversion. I also served as interim director of the Puna Geothermal Facility and oversaw the closing of the HGP-A well.

I am submitting this testimony in support of HB 913 for several reasons.

Having spent many years coordinating the NELHA visitor program and writing proposals for its funding, I eventually supported the establishment of the Friends of NELHA (now the Keahole Center for Sustainability) to involve community volunteers in "spreading the word" about the important work going on at Keahole Point. FON, and now KCS, have done a creditable job of performing this function, with little support from the NELHA Board or administration. After about 18 years of successful conduct of public tours and community outreach in the Gateway Center (built with funding obtained by Senator Daniel Inouye), the current Administration has rented the facility to a new startup company and forced KCS to seek other facilities much less appropriate than that showpiece building.

I have believed since I began working at NELHA in 1982 that public outreach was an important component of its mission, and I've always felt that it was a mistake to remove that component when the original 1976 legislation was modified multiple times over the years.

I believe that the proposed sections (a) (8) and (a) (9) of HB913 are essential to clarify the responsibility of the NELHA Board and Administration for these essential public outreach functions.

I also believe that the changes proposed in HB913 to Section (b) of HRS 227D-2 are important to the future of NELHA and its integration into the West Hawai'i Community. The existing Board of Directors composition continues to be weighted towards O'ahu and State Government, and the proposed changes will provide for input from local and native Hawaiian communities as well as from the University's scientific community.

The change from an even to an odd number of voting board members is also sensible for any governing body.

For these reasons, I strongly urge that this measure be approved.

Mahalo for the opportunity to testify on this much needed piece of legislation.