JOSH GREEN, M.D.
GOVERNOR | KE KIAʻĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIAʻĀINA

STATE OF HAWAIʻI | KA MOKUʻĀINA ʻO HAWAIʻI
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA ʻOIHANA KUMUWAIWAI ʻĀINA
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RYAN K.P. KANAKAʻOLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARK

Testimony of
LEAH LARAMEE
Climate Change Coordinator on behalf of
Climate Change Mitigation and Adaptation Commission
Co-Chair Ryan K. P. Kanakaʻole

Before the House Committee on
ENERGY AND ENVIRONMENTAL PROTECTION

Tuesday, February 3, 2026
9:30 AM
State Capitol, Conference Room 325 and Via Videoconference

In consideration of
HOUSE BILL 1981

RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.

House Bill 1981 establishes a Geothermal, Carbon Sequestration, and Underground Water Resource Characterization Program via slim hole bores and a related statewide environmental assessment and appropriates funds and positions to support the program. **The Hawaiʻi Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

The Commission consists of a multi-jurisdictional effort between 20 departments, committees, and counties with the purpose of promoting ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation. Further exploration of our underground resources is needed to better understand how Hawaiʻi may be impacted by, and address climate change. Geothermal expansion, if properly executed with community consultation and benefit sharing, can play a crucial role in an environmentally responsible transition to clean energy generation. Aquafer recharge, water conservation, and reuse should be the primary drivers of water management. Identifying additional water resources could be crucial as increased periods of drought and higher temperatures reduce water availability in the state. This bill has the potential to benefit communities by identifying affordable and reliable energy, clean drinking water, and potential opportunities to reduce impacts of climate change with carbon sequestration.

Mahalo for the opportunity to comment on this measure.

HAWAII STATE ENERGY OFFICE
STATE OF HAWAII

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARK B. GLICK
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 451-6648
Web: energy.hawaii.gov

Testimony of
MARK B. GLICK, Chief Energy Officer

before the
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, February 3, 2026
9:30 AM
State Capitol, Conference Room 325 and Videoconference

In Support of
HOUSE BILL NO. 1981

RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.

Chair Lowen, Vice Chair Perruso and Members of the Committee, the Hawai‘i State Energy Office (HSEO) supports House Bill No. 1981, in its similarity to House Bill No. 2262 and Senate Bill No. 3081, the preferred bill of the Green Administration and DBEDT. If appropriately funded, HB 1981 would enable the Hawai‘i State Energy Office (HSEO) to administer a statewide Geothermal Resources Characterization Program supported by the Hawai‘i Groundwater and Geothermal Resources Center at the University of Hawai‘i.

Conducting research via slim-hole test wells are a high priority of Hawai‘i’s updated energy strategy because of the potential to clearly identify where geothermal resources might exist, with a focus on Maui, Hawai‘i, and O‘ahu. The ultimate goal is to stimulate private sector investment in producing safe, reliable, and affordable firm renewable energy that can make Hawai‘i energy self-sufficient and reduce electricity costs and carbon emissions.

The measure will also inform where underground water resources might exist and the longer term potential for carbon sequestration. HSEO further supports

provisions requiring submission of a progress report, findings, and any proposed legislation resulting from the research findings to the legislature.

To effectively and broadly conduct this research, HSEO requests no less than $6,000,000 to carry out this program. HSEO also requests $135,000 for fiscal year 2027-2028 to support one full-time equivalent permanent position to be dedicated to coordinate this program.

In 2023, HSEO analyzed market gaps in firm renewable resources and long duration storage, especially geothermal and pumped hydro, and developed policies and pursued funding opportunities to fill those gaps. Geothermal energy is heat that was generated during the planet’s formation stored in rocks and fluids and brought as steam to the earth’s surface using deep wells. The steam drives turbines to generate electricity. The slim-hole research of water resources through this measure can reveal where hot water sufficient to power electricity generation may be present in key areas throughout the state. This program will also deliver core samples that may reveal the potential for carbon sequestration.

The Center for Strategic and International Studies notes that, like solar and wind energy, modern geothermal power plants have insignificant greenhouse gas (GHG) emissions with life-cycle emissions six to twenty times lower than natural gas and four times lower than solar photovoltaic (PV) energy due to the materials used to construct the plants.

Concurrently, HSEO will engage energy stakeholders at the community level during 2024 and beyond to gain insight on how and where geothermal development can appropriately take place in ways that meaningfully benefit the affected communities.

Several obstacles have limited Hawai‘i from fully developing its geothermal potential. Geothermal exploration is commercially risky and expensive. Developers have to drill multiple exploration wells before finding a reliable geothermal resource, and sometimes they do not find one at all. Private investors usually cannot mitigate and manage this risk independently.

Given the importance of geothermal in helping Hawai‘i meet its firm renewable needs, government support to identify areas of geothermal potential is an appropriate first step towards incentivizing private sector investment and development of state-of-the-art geothermal resources. With the appropriate level of funding, HB 1981 would provide that needed support.

Thank you for the opportunity to testify.

HB-1981
Submitted on: 2/1/2026 7:22:09 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Albertini	Malu 'Aina Center for Non-violent Education & Action	Oppose	Written Testimony Only

Comments:

Aloha Legislators:

Our organization opposes

BILL NUMBER: HB 1981, HB 1982, HB 1979, & HB 1650

POSITION: STRONG OPPOSITION

I submit this testimony in Strong Opposition to the above-referenced measures, which requires the Hawai‘i State Energy Office to conduct a statewide environmental assessment for, and subsequently administer, a Geothermal Resources Characterization Program under the direction of the University of Hawai‘i Groundwater and Geothermal Resources Center, and appropriates funds for that purpose.

Our organization has a long history of opposition to Geothermal development in Puna. We know first hand the harmful effects.

I agree with the following statement: "Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific environmental review and meaningful community consent, particularly where trust lands are concerned."

Mahalo for your work.

Jim Albertini, President of Malu 'Aina

Sustainable Energy Hawai‘i
www.sustainableenergyhawaii.org

February 2 , 2026

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Rep. Nicole E. Lowen, Chair
Rep. Amy A. Perruso, Vice Chair

Committee Members: Rep. Cory M. Chun, Rep. Sean Quinlan,
Rep. Kirstin Kahaloa, Rep. Lauren Matsumoto,
Rep. Matthias Kusch

Tuesday, February 3, 2026
9:30 a.m.

HB1981

RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE

Position Testimony: Comment with Recommendations

Sustainable Energy Hawaii appreciates the Legislature's intent with HB1981 to advance understanding of Hawaii's subsurface energy and water resources. However, we have identified structural challenges that may impede the bill's effectiveness and offer recommend consideration of the complementary framework provided in HB1983/SB2901 as a means to mitigate these challenges.

AREAS OF CONCERN

Procedural Conflict - HB1981 specifies a statewide environmental assessment (EA) of a slim-hole exploration program pursuant to HRS Chapter 343. Existing mining regulations also require an EA before permitted slim-hole exploration work can begin. This creates a Catch-22 paradox: Conducting a meaningful EA prior to executing the program requires including the very subsurface data the program is designed to gather, but not until the EA has been completed. Without baseline geological information, any assessments made risk being speculative rather than scientifically grounded, potentially triggering contested cases challenging those EAs, delaying or preventing the data collection needed to inform responsible decision-making.

Cost and Efficiency - Site-specific contested cases under Chapter 343 historically impose substantial costs and delays that may not be warranted for preliminary scientific characterization work.

Scientific Foundation - All subsurface resource assessments - whether targeting geothermal, water, or carbon storage potential - begin without knowing what conditions lie below. Requiring environmental impact determinations before gathering this fundamental, foundational data inverts the scientific process.

RECOMMENDATIONS

HB1983/SB2901 establishes a "Geological Subsurface Characterization" framework specifically designed to address these issues. That framework would:

- Enable systematic data gathering under appropriate oversight,
- Provide the scientific basis for subsequent comprehensive environmental review,
- Support informed decisions about which sites, if any, merit commercial development, consideration, and
- Reduce overall state costs by avoiding premature, data-poor environmental assessment processes.

HB1981 could be strengthened by incorporating the Geological Subsurface Characterization framework or by explicitly coordinating with HB1983/SB2901 to ensure Hawaii's subsurface resource assessment proceeds on sound scientific and fiscal footing.

Mahalo for the opportunity to provide input on this important infrastructure planning issue.

Respectfully,

Sustainable Energy Hawai'i
admin@sustainableenergyhawaii.org

To: The Honorable Representative Nicole Lowen, Chair, the Honorable Amy Perruso, Vice Chair, and Members of the Energy and Environmental Protection Committee.

From: Climate Protectors Hawai‘i (by Ted Bohlen)

Re: **Hearing HB1981 RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE**

Hearing: Tuesday Febuary 3, 2026 9:30 a.m.

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Energy and Environmental Protection Committee!

The Climate Protectors Hawai‘i seeks to educate and engage the local community in climate change action, to help Hawai‘i show the world the way back to a safe and stable climate.

The Climate Protectors Hawai‘i **SUPPORTS** HB1981!

The climate is heating! To meet its legal target of sequestering more atmospheric carbon and greenhouse gases emitted in the State as soon as quickly as practicable but not later than 2045 (HRS Sec, 225P-5), Hawai‘i needs to find ways to sequester carbon and produce

energy while limiting greenhouse gas emissions. Underground injection of carbon and development of geothermal resources potentially could help if properly implemented.

In addition, climate heating will reduce Hawaii's fresh water supplies. Underground fresh water might help.

There may be great benefits in knowing Hawaii's underground resources for carbon sequestration potential and geothermal and underground water resources.

There will be environmental and cultural concerns around such exploration. Slim hole wells should be capped after results are obtained. It is important to perform an environmental assessment, as the bill provides.

Please pass this bill!

Mahalo!

Climate Protectors Hawai‘i (by Ted Bohlen)

HB-1981
Submitted on: 1/30/2026 8:43:37 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!!!

HB-1981
Submitted on: 1/31/2026 10:00:02 AM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
James Jay Kaleimamahu Crowningburg Maioho	Kia'i Iwi Alaka'i	Oppose	Written Testimony Only

Comments:

Written Testimony in Opposition to HB 1981

Hearing Date: February 3, 2026

Committee: House Energy & Environmental Protection

Submitted by: Kia’i Iwi Alaka’i

Aloha Chair and Members of the Committee,

Mahalo for the opportunity to submit written testimony in strong opposition to HB 1981.

HB 1981 proposes the creation of a geothermal, carbon sequestration, and underground resource characterization program using slim-hole drilling and subsurface testing, supported by public funds and accompanied by a statewide environmental assessment. While framed as research and characterization, the bill in substance advances geothermal and extractive activity and lays the groundwork for future industrial development.

This measure raises serious concerns for Native Hawaiian trust lands, public resources, and environmental and cultural protections.

First, HB 1981 attempts to separate “subsurface characterization” from geothermal development. This distinction is misleading. Test drilling, slim-hole boring, and underground characterization are not neutral scientific exercises. They are the first steps in geothermal and extractive development. Once drilling occurs, the risk to aquifers, cultural sites, and geological stability is no longer theoretical.

Second, the bill advances a model where public and trust resources are used to absorb the early risk of exploration so that private or commercial energy development can later benefit. This is an improper use of public funds and an unacceptable trajectory for Native Hawaiian trust lands. Research should not be used as a backdoor mechanism to industrialize lands held in trust for rehabilitation and homesteading.

Third, HB 1981 poses particular danger to Hawaiian Home Lands. Similar measures moving this session already identify Hawaiian Home Lands as preferred or initial locations for test drilling and subsurface exploration. These lands are not vacant or disposable. They are genealogical, cultural, and spiritual landscapes held in trust for Native Hawaiian beneficiaries. Any activity that advances extraction, drilling, or subsurface disturbance represents a breach of trust.

Fourth, the bill diverts attention and resources away from urgent needs. Native Hawaiian families are unhoused, overcrowded, and waiting decades for homesteads. Public funds should be directed toward housing, emergency and transitional homesteading, infrastructure, and beneficiary placement — not toward speculative underground exploration.

The State does not lack renewable energy policy tools. What it lacks is discipline in protecting trust lands and honoring the original purposes of Native Hawaiian trusts. HB 1981 moves in the opposite direction by normalizing drilling and subsurface disturbance under the guise of research.

I urge this Committee to reject HB 1981.

At minimum, any measure addressing geothermal or subsurface activity must explicitly prohibit drilling or characterization on Hawaiian Home Lands and other Native trust lands, prohibit the use of DHHL or OHA trust resources for such purposes, and require full, project-specific environmental review and meaningful Native Hawaiian consent.

For these reasons, I respectfully oppose HB 1981.

Mahalo for the opportunity to submit this testimony.

HB-1981
Submitted on: 1/31/2026 2:27:18 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lowen, Vice Chair Perruso, and Committee members,

Mahalo for the opportunity to testify in strong support of this important bill that is critical to determining the future of Hawaii's renewable energy self-sufficiency.

By supporting and passing this bill, you are enabling the long-delayed exploration of our State's safe geothermal potential, and the extensive community engagement necessary to understand residents‘ opinions about harnessing this resource for the public good.

Please pass this bill so we can know what potential geothermal energy lies beneath our Islands. Geothermal is a much better solution for Hawaii than fossil fuels.

With Aloha,

Lisa Bishop

Oahu resident, homeowner, tax payer, voter

HB-1981
Submitted on: 1/31/2026 9:46:56 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Oppose	Written Testimony Only

Comments:

Dana Keawe]
Strongl Oppose HB1981
House Committee: EEP
Energy and Environmental Protection
BILL NUMBER: HB 1981, HB 1982, HB 1979, HB 1650, & HB 1543
POSITION: STRONG OPPOSITION
RE: STRONG OPPOSITION RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS AND ENVIRONMENTAL REVIEWS
House Bill HB1981: RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.
Establishes a Geothermal, Carbon Sequestration, and Underground Water Resource Characterization Program via slim hole bores and a related statewide environmental assessment. Appropriates funds for the program and positions to support the program.
House Bill HB1982: RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.
Appropriates funds to the Department of Hawaiian Home Lands for certain geothermal resource exploration and development activities and the hiring of consultants.
House Bill HB1979: RELATING TO ENVIRONMENTAL REVIEW.
Shortens the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. Requires judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.
House Bill HB 1650: RELATING TO ENVIRONMENTAL ASSESSMENTS.
Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.
House Bill HB 1543: RELATING TO ENVIRONMENTAL REVIEW.
Specifies a time limit for the validity of a finding of no significant impact of a

final environmental assessment or acceptance of a final environmental impact statement for a proposed action. Requires an agency or applicant to commence a new environmental review process for the proposed action if the validity expires.

SAMPLE TESTIMONY:

Title: RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS

Aloha Chair Nicole Lowen, Vice Chair Amy Perruso, and Members of the Committee,

I submit this testimony in Strong Opposition to the above-referenced measures, which requires the Hawai‘i State Energy Office to conduct a statewide environmental assessment for, and subsequently administer, a Geothermal Resources Characterization Program under the direction of the University of Hawai‘i Groundwater and Geothermal Resources Center, and appropriates funds for that purpose.

These Bills represent a fundamental shift toward institutionalizing geothermal exploration under the guise of research while simultaneously weakening environmental protections and public oversight. Of particular concern is the University of Hawai‘i Groundwater and Geothermal Resources Center has been actively advancing legislative proposals that would override or shortcut existing environmental review requirements, including those involving seismic monitoring related to groundwater and geothermal exploration on Department of Hawaiian Home Lands (DHHL) and public trust lands.

Geothermal exploration is not a neutral scientific activity. It involves intrusive testing, drilling, and seismic monitoring that directly affect subsurface water systems, geologic stability, and culturally significant landscapes. Framing these activities as “characterization” does not change their physical impact or their legal implications. Authorizing such activities without full environmental review violates the precautionary principles embedded in Hawai‘i law and undermines long-standing protections for trust resources. We strongly oppose, shortening “the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. We strongly oppose amendments that will require judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.

Public trust lands and DHHL lands are not appropriate sites for experimental or exploratory geothermal programs. These lands are held in trust for specific Native Hawaiian beneficiaries and purposes, and any activity that risks contamination of groundwater, destabilization of geologic formations, or disruption of cultural sites constitutes a breach of fiduciary duty.

It is deeply concerning that the Department of Hawaiian Homes Lands proposing and administering the industrialization of Geothermal which is a violation of the State Constitution Article XII Section 7. The exclusion of Beneficiary consultation eliminates community input and oversight and creates a closed loop in which project proponents are empowered to define, implement, and evaluate their own impacts. Such an arrangement is incompatible with transparent governance and public accountability. Appropriation of State and/or Federal Funds with the intent of sponsoring statewide geothermal exploration threatens both the integrity of our trust land.

Furthermore, Industrialized geothermal development and drilling into Kūpuna Pele further endanger interconnected trust resources, including groundwater, air quality, and geologic stability. These risks are especially acute on the Moku O Keawe, where volcanic and aquifer systems are inseparable from subsistence practices, burial grounds, and ceremonial sites. The State cannot lawfully authorize degradation of these resources under Article XI, Section 7 of the Hawai‘i State Constitution or under the fiduciary standards imposed by the Admissions Act of 1959 in the name of speculative energy benefit.

With respect to DHHL lands, the breach is even more severe. These lands are held in trust under the Hawaiian Homes Commission Act for the exclusive benefit of Native Hawaiian beneficiaries. Legislation proposing industrialized geothermal exploration or development that authorizes drilling into Kūpuna Pele on DHHL lands without prior beneficiary authorization already constitutes a violation of fiduciary duty. Beneficiary consultation cannot be treated as a procedural afterthought or a remedy for an unlawful act.

Furthermore, consultation does not cure desecration. The proposal of industrialized geothermal exploration, development and drilling into Kūpuna Pele on trust lands without consent reflects a failure to honor both the cultural foundations of these lands and the legal obligations established to protect them. Beneficiaries are not merely stakeholders; we are Lineal Descendants of our Hawai’i, trust beneficiaries whose rights must guide, not follow, legislative action.

Accordingly, I urge this Committee to reject this measure because it:

1. Authorizes geothermal exploration under the guise of research while weakening environmental review;
2. Undermines protections for groundwater, seismic stability, and culturally significant lands;
3. Threatens DHHL and public trust lands with intrusive exploration activities; and
4. Prioritizes energy policy over environmental law and trust obligations.

Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific

environmental review and meaningful community consent, particularly where trust lands are concerned.

Mahalo for the opportunity to submit this testimony.

Respectfully,

Dana Keawe

HB-1981
Submitted on: 1/31/2026 9:52:20 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoeuluwehianuhea Case	Truth for the People Moku O Keawe	Oppose	In Person

Comments:

Kanoeuluwehianuhea Case

Kanoesc@gmail.com

01/31/2026

House Committee: EEP

Energy and Environmental Protection

BILL NUMBER: HB 1981, HB 1982, HB 1979, HB 1650, & HB 1543

POSITION: STRONG OPPOSITION

RE: STRONG OPPOSITION RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS AND ENVIRONMENTAL REVIEWS

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House Bill HB 1650: RELATING TO ENVIRONMENTAL ASSESSMENTS.

Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.

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Title: RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS

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Public trust lands and DHHL lands are not appropriate sites for experimental or exploratory geothermal programs. These lands are held in trust for specific Native Hawaiian beneficiaries and purposes, and any activity that risks contamination of groundwater, destabilization of geologic formations, or disruption of cultural sites constitutes a breach of fiduciary duty.

It is deeply concerning that the Department of Hawaiian Homes Lands proposing and administering the industrialization of Geothermal which is a violation of the State Constitution Article XII Section 7. The exclusion of Beneficiary consultation eliminates community input and oversight and creates a closed loop in which project proponents are empowered to define, implement, and evaluate their own impacts. Such an arrangement is incompatible with transparent governance and public accountability. Appropriation of State and/or Federal Funds with the intent of sponsoring statewide geothermal exploration threatens both the integrity of our trust land.

Furthermore, Industrialized geothermal development and drilling into Kūpuna Pele further endanger interconnected trust resources, including groundwater, air quality, and geologic stability. These risks are especially acute on the Moku O Keawe, where volcanic and aquifer systems are inseparable from subsistence practices, burial grounds, and ceremonial sites. The State cannot lawfully authorize degradation of these resources under Article XI, Section 7 of the Hawai‘i State Constitution or under the fiduciary standards imposed by the Admissions Act of 1959 in the name of speculative energy benefit.

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Furthermore, consultation does not cure desecration. The proposal of industrialized geothermal exploration, development and drilling into Kūpuna Pele on trust lands without consent reflects a failure to honor both the cultural foundations of these lands and the legal obligations established

to protect them. Beneficiaries are not merely stakeholders; we are Lineal Descendants of our Hawai'i, trust beneficiaries whose rights must guide, not follow, legislative action.

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1. Authorizes geothermal exploration under the guise of research while weakening environmental review;

2. Undermines protections for groundwater, seismic stability, and culturally significant lands;

3. Threatens DHHL and public trust lands with intrusive exploration activities; and

4. Prioritizes energy policy over environmental law and trust obligations.

Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific environmental review and meaningful community consent, particularly where trust lands are concerned.

Mahalo for the opportunity to submit this testimony.

Respectfully,

Kanoeuluwehianuhea Case

HB-1981
Submitted on: 2/1/2026 9:29:15 AM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	Remotely Via Zoom

Comments:

‘A‘OLE GEOTHERMAL = THIS IS FOREVER TOXIC AIR AND CONTAMINATION POLLUTION DESTRUCTION OF ‘ĀINA KAI AND WAI. PUNA COMMUNITY HAS BEEN LIVING THIS SUFFERING FOR OVER 40 YEARS! NO IS NO.

Written Testimony in Support of H.B. 1981

Relating to a Program to Characterize Carbon Sequestration Potential and Geothermal and Underground Water Resources Statewide

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Hawai‘i State Legislature
February 3rd, 2026 Hearing

Aloha Chair and Members of the Committee,

My name is Kara Mercier, and I am a graduate student in social work at the University of Hawai‘i. I am submitting testimony in support of H.B. 1981, which establishes a statewide program to characterize geothermal, carbon sequestration, and underground water resources through slim-hole exploration, paired with a statewide environmental assessment and required community engagement

From a social work perspective, this bill addresses an issue that directly affects community well being: how land, water, and energy decisions are made, and who is meaningfully included in those decisions. Environmental conditions are not separate from social conditions. Access to clean water, protection of land, and trust in public decision making all shape health, stability, and long term outcomes for individuals and families. H.B. 1981 is especially important because it emphasizes planning before expansion. Rather than moving forward with large scale development without adequate information, this bill prioritizes understanding what resources exist and where, while requiring a statewide environmental assessment. This approach reflects responsible governance and reduces the risk of harm to communities that have historically carried the greatest burden of environmental decisions.

Of particular significance is the bill’s requirement for ongoing community engagement before and during the environmental assessment process. Requiring the Hawai‘i State Energy Office and its partners to meet with counties, residents, and civic organizations acknowledges that communities are not just stakeholders, but knowledge holders. For social workers, this aligns with core values of self determination, transparency, and respect for lived experience. Meaningful engagement builds trust and helps prevent conflict, fear, and misinformation, all issues that often emerge when communities feel excluded from decisions that affect their land and water, especially in Hawai‘i.

As someone training to work with individuals and families impacted by economic and environmental stress, I see how uncertainty around land use, water safety, and energy development can increase anxiety and instability. A thoughtful, statewide characterization program can support long term planning that balances clean energy goals with protection of

natural resources and community health. I also appreciate that the bill requires findings and progress reports to be made publicly available in accessible formats. This commitment to transparency supports community education and allows residents to participate in future discussions from an informed position, rather than reacting after decisions are already made.

For these reasons, I respectfully urge the committee to support H.B. 1981. This bill reflects a preventive, inclusive approach that aligns environmental responsibility with social well being. It demonstrates that Hawai‘i can pursue innovation and explore sustainable energy while honoring community voices and safeguarding resources for future generations.

Mahalo for the opportunity to submit testimony and for your consideration.

Respectfully,
Kara Mercier
MSW Student
Thompson School of Social Work, University of Hawai‘i

To: House Committee on Energy & Environmental Protection
From: Jasmine Steiner, KahuPuna
Date: February 1, 2026
Re: Strongly Oppose HB1981 – Relating to a Program to Characterize Carbon Sequestration Potential and Geothermal and Underground Water Resources Statewide

Aloha Chair and Members of the Committee,
My name is Jasmine Steiner, representing KahuPuna, a grassroots effort to protect the sacred 'āina and the communities within, of Puna, Hawai'i, from destructive geothermal mining. Visit wearepuna.wixsite.com/aloha-activism for more on our work defending wahi pana tied to Madame Pele and halting projects like Puna Geothermal Venture (PGV) that harm our health, environment, and cultural rights.

I strongly oppose HB1981, which establishes a Geothermal, Carbon Sequestration, and Underground Water Resource Characterization Program using slim-hole bores and a statewide environmental assessment. This bill is a dangerous step toward expanding destructive geothermal drilling across Hawai'i, including sensitive areas, under the false banner of "renewable energy."

This so-called "state" – a fake government born from the illegal 1893 overthrow of the sovereign Hawaiian Kingdom – lacks legitimacy and continues to desecrate our sacred resources. HB1981 is being sneaked through with almost no public notice: introduced January 26, 2026, and rushed forward without adequate time for comment. This deliberate tactic silences impacted communities, especially in Puna, and is criminal abuse of power to push outsider profits over Hawaiian well-being.

From what I can discern as a born and raised child of the beautiful and endangered Puna coast, no actual real Hawaiian who upholds aloha ‘aina supports this desecration. No Hawaiian who encompasses kuleana would ever support the selling off and "leveraging" of our deity Madame Pele – only the bought-and-paid-for sell-outs back this betrayal. DHHL Chair Kali Watson himself stated in the newspaper, "They’ve got to be supportive. Otherwise, we’re not going to do it," stating that if the Hawaiian people say no it won't happen (regarding beneficiary input on geothermal projects). Guess what? The Hawaiian beneficiaries have all said NO, but you all know it in this Senate. Even the Royal House, the Royal Order of the Still Standing Hawaiian Kingdom emphatically opposed any geothermal development in their testimony against HB1307 last year, declaring 'Ā'ole Geothermal! They said ‘A’OLE to exploiting these sacred resources, recognizing it as a direct assault on their cultural sovereignty. Yet here we are, with HB1981 ignoring these voices and pushing forward anyway.

This push also ignores the active Hawaii Geothermal Injunction in the Intermediate Court of Appeals (ICA), where the geothermal-affected community challenges the County of Hawai'i and PGV (Ormat-operated) to stop all future permits on the basis of a completely fraudulent environmental impact statement. This case reveals decades of systematic lying and misreporting to agencies and the Hawaiian people. PGV's Lower East Rift Zone operations involve fracking sacred grounds, leading to severe health effects from toxic emissions that have devastated our community for decades.

The people of Puna, Hawaii have lost actual loved ones to geothermal emissions – family members succumbing to respiratory diseases, cancers, and other illnesses directly linked to the pollution. Hundreds in Puna, like me, have suffered immensely, losing quality of life forever: chronic breathing problems, contaminated air and water, mercury poisoning that cannot be reversed, central nervous system damage , foul odors that invade homes in the middle of the night sending residents to the hospital via ambulance, and immense irreversible damage to Hawaii’ss native ecosystems. I personally have 4 generations of immediate family members who have lost their quality of lives to geothermal and will never know full health again – and I am not alone. No one in this fake state or county gives any cares about it; in my 37 years in geothermal radius i have personally watched all of you do everything you can to conceal these crimes against humanity in Puna, Hawai'i, covering up the suffering and calling us crazy as you push it on the unsuspecting as “clean” or “pono” in any way. It is so very naive to believe the Hawaiian people, who have endured this for so long, will allow this to happen to thousands more kanakas and their ohanas on Moku O Keawe. We simply won't allow it. #aolehewa.

Yet HB1981 funds new slim-hole exploration (e.g., Humu'ula, Kawaihae, South Point) as if the injunction and these violations don't exist, trying to expand the death and destruction all over before the Injunction plays out and justice is served.

This IS criminal disregard for justice.

Geothermal is destructive mining, NOT green energy – prioritizing profit over people and 'AINA . Puna is a cultural cornerstone in Hawaiian mythology, NOT a drilling site for foreign agendas. HB1981 accelerates harm with taxpayer funds into an industry built on lies.

Justice is due: Reject HB1981. Honor the injunction, respect Native Hawaiian rights, and end the criminal rushing of bills that desecrate our 'āina.

Ā'ole PGV! Ā'ole Geothermal Expansion!

Respectfully,

Jasmine Steiner
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HB-1981
Submitted on: 2/1/2026 1:06:13 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

Oppose. Wind & solar, better, cheaper, greener.
The FURTHER you live from toxic geothermal, the better it sounds - not so much for nearby residents.

GEOTHERMAL ELECTRICITY IS AN ECONOMIC FAILURE

Without Government Assistance It Would Not Exist

The development of commercial level geothermal electricity generation in the United States began in 1960 at the Geysers geothermal field in California, just north of San Francisco. For 22 years this field was the only operating geothermal field in the United States. Its phenomenal success spawned geothermal developments in many other areas of the United States beginning in 1982. None of the subsequent developments have reached anywhere near the level achieved at the Geysers. Yet the belief in that possibility led to the opening of dozens of geothermal plants in the United States over the next 40 years. Most of this development was spurred by two legislative packages which were passed by the US Congress in 1978 and 2009, although there were numerous others.

The following essay attempts to give details about economic aspects of geothermal energy development in the United States, and the government's role in promoting it. The discussion below is based upon data from the Federal government and state agencies. The primary resource has been the US Environmental Information Agency (EIA)[i]. This site provides detailed plant-level data for all US geothermal plants from the beginning of 2001 onward. The EIA site also provides access to various reports dating all the way back to geothermal energy's beginning in 1960. This data is not as comprehensive, especially at the plant level. There is fairly comprehensive data for the period from 1989-1998[ii], but I have only been able to find data for other years through the state of Nevada [iii] and the California Energy Commission [iv].

Figure 1 below shows details of these developments. There was a meteoric rise in geothermal capacity and production during the period from 1980-1990. Since 1993 total production has actually decreased, in spite of a doubling of the geothermal capacity. Until 1990 the Geysers was still the almost exclusive producer of geothermal electricity in the United States, therefore the national production was closely tied to the Geysers production. Since 1990, opening of new geothermal plants in the United States has been largely confined to Nevada. Production at the Geysers in 2023 was less than half of its production in 1990. The addition of 26 new plants in Nevada and seven others in five other states have been insufficient to overcome that decline. That is a very clear example of failure. As of the end of 2023, the Geysers had still produced 57% of the entire United States geothermal industry output.

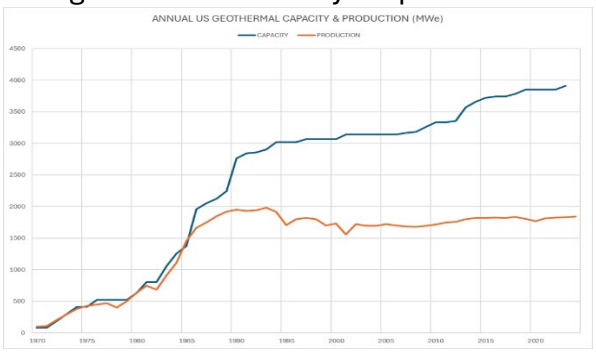

Figure 1. Total US Geothermal Capacity/Production

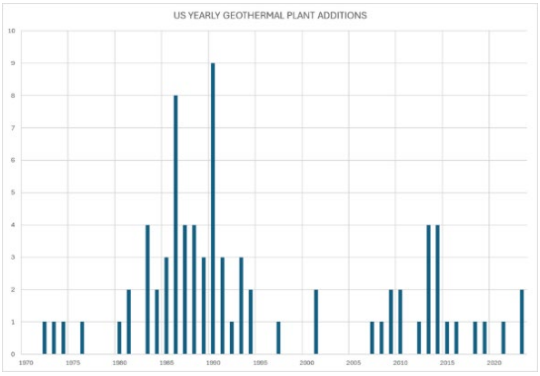

Figure 2. Total US Geothermal Plant Additions

Figure 2 above details the two main episodes of geothermal plant building in the United States since the first plant opened in 1960. These two periods are the entire 1980s as well as an interval between 2008 and 2015. Development between 1993 and 2008 was limited to 7 plants; from 2015 to 2023 it was also 7. My contention is that those two episodes of rapid geothermal growth were a direct product of legislation passed by the US Congress in 1978 and 2009. The Acts to which I am referring to are the "Public Utilities Regulatory Policies Act" (PURPA) in 1978[v], and the "American Recovery and Reinvestment Act" (ARRA) of 2009.[vi]

After the passage of PURPA in 1978, new startups quickly rose and by 1990, 40 new plants had been built, quintupling US capacity from 522 MW per year in 1980 to 2764MW in 1990. The only peak after that begins in 2009 with the passage of ARRA, which took capacity from 3182 MW in 2008 to 3660 MW in 2014, when the initial program ended. 13 new geothermal plants opened during this interval. Thus, it seems fair to conclude that the legislation had a major influence on the number of plant startups. The great majority of plant startups resulting from PURPA were in California, while a majority of those from ARRA were in Nevada.

So far I have spoken only in generalizations, but a few specific cases will make the basis of my thoughts more apparent. Most of the plants that were built during the 1980s were in the Geysers geothermal field just north of San Francisco in California. A large geothermal development also occurred on the shores of the Salton Sea in Southern California. Together these two areas account for most of the plants opened as a result of PURPA. They have long been and remain the two largest areas of geothermal production in the United States.

The Geysers area is by far the largest geothermal field in the world. During the 1980s a wildcat environment prevailed with dozens of entities opening 20 geothermal plants in an area of 50 square miles. PURPA companion legislation mandated that utilities purchase energy from "renewable" sources. At that time, geothermal was the only "renewable" possibility, with the exception of hydropower, so this almost mandated purchase from geothermal plants.

The Act directed individual states to develop policies for pricing electricity as well as long-term contracts. California became the leader in this endeavor since it was the only state with geothermal plants at that time. They developed what became known as "standard offer" contracts which dictated prices as well as increasing rate charges over the time of contracts, which were typically for 30-year purchase power agreements.

The first PURPA contracts were signed in the early 1980's, when natural gas prices were very high. This made these early contracts very lucrative. During the mid-1980's natural gas prices (the main fuel used to generate electricity in California) decreased considerably, yet the utilities were still forced to pay the high rates for geothermal power, so they raised their rates and customers began to complain. This necessitated a change in the terms of the standard offer contracts so that they were based on natural gas prices.

Subsequently, the economic attractiveness of geothermal plants decreased, and no major geothermal plants were developed at the Geysers after 1985. So many plants had been built at the Geysers that by 1987 wellhead pressure values and production began to decrease. But the wave of new plants dwindled, so that only 3 small plants were opened after 1985. By 1993 production at the Geysers was only half of what the production was at its peak in 1987. This represents a classic case of over-development, "too many straws sucking from the same glass".

By 1980, significant pressure decreases and water deficits had begun to appear at the Geysers. In response, and with some foresight, the Northern California Power Authority (NCPA) initiated the building of a new geothermal plant near the southern edge of the Geysers field. Planned in conjunction with the plant, a pipeline pumping sewage effluent from Santa Rosa to the plant was built to forestall the reservoir declines which had been observed at some existing plants at the Geysers. This pipeline was built with a capacity of 10 million gallons a day.

The overall production at the Geysers plummeted beginning in 1989. Due to the success of the NCPA pipeline project, two much larger pipelines were built which came into operation in late 1997. These pipelines were built by Lake County and Santa Rosa, each with a capacity of 19 million gallons a day. The current capacity of these pipelines is 40 million gallons a day, with an average usage volume of 30 million gallons a day.

Additional pipelines have been built to distribute the effluent among the other Geysers plants. This import of water definitely lessened the steady decline in overall production of the Geysers field, but by 1995 it was 60% of its 1987 peak; today its production is only 45% of its level in the 1980s. While some of this decrease can be attributed to overdevelopment, it is typical of most geothermal plants in the United States.

As a whole, plants in the United States have averaged a 3% yearly decrease in production unless new processing facilities are built or new wells are drilled. There has not been a new plant opened at the Geysers since 1989.

Economically, this decrease is not sustainable. Geothermal plants require massive amounts of up-front capital to drill the wells and create the generating facility. Roads and transmission lines to connect to the grid are another major possible expense. Return on investment is increasingly difficult to maintain, especially in competition with solar, for which costs are still decreasing rapidly.

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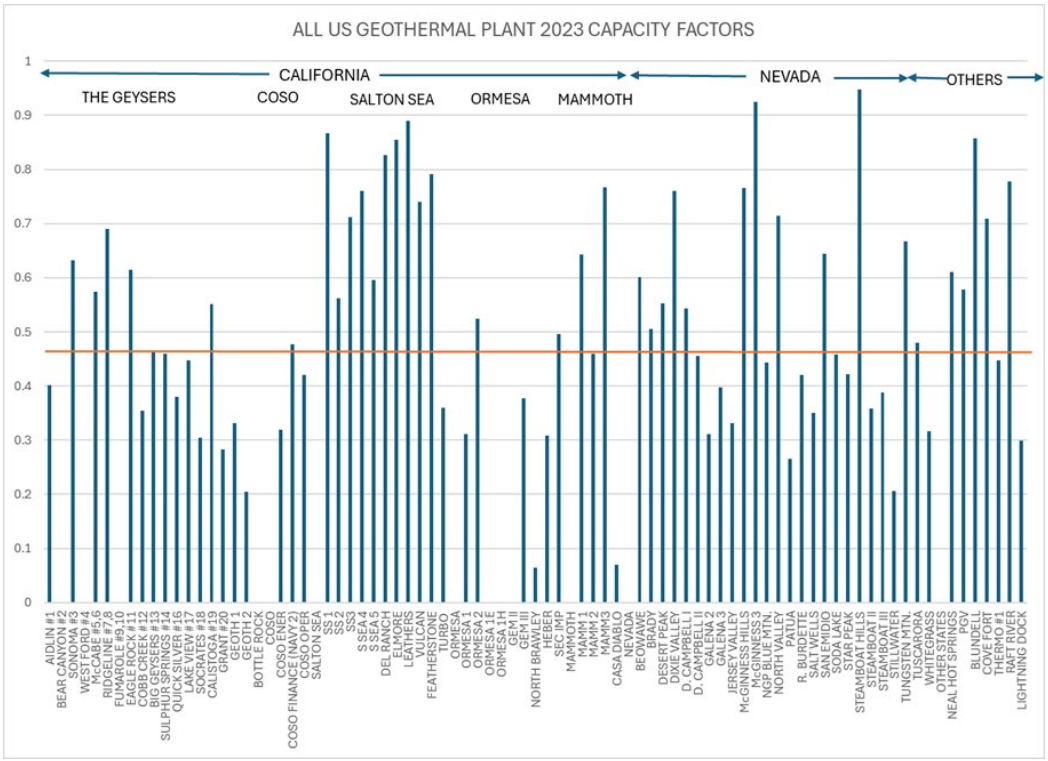

Figure 3. All US geothermal plant capacity factors for 2023

Figure 3 above shows capacity factors for all US geothermal plants in 2023, grouped by areas and states. Capacity factor is determined by dividing the total electrical output by the number of hours in a year. If a plant were operating at full capacity for an entire year, the capacity factor would be 100%. The horizonal red line shows the average capacity factor for all US power plants, which is 47%.

The National Renewable Energy Lab (NREL) attempts to include all possible costs in order to evaluate what they term the Levelized Cost of Energy (LCOE)[vii]. In their standard tables there is an estimation of capacity factors which they arbitrarily place at 90% for steam/flash plants and 80% for binary plants. Currently about half of the US geothermal fleet is steam/flash, which would place their average estimated capacity at 85% according to the NREL. Figure 3 shows the actual capacity factor which should be used is 47%. Thus, if a true capacity factor were to be used in the NREL calculations, an 80% reduction would be necessary in the estimated geothermal revenue of the plant (85/47=1.81). This makes geothermal far more costly than any other renewable energy.

Another factor overlooked by the NREL is declining geothermal production. Figure 4 below illustrates typical behavior of individual geothermal plants over time. Unless new processing facilities are added or new wellfields developed, this behavior seems universal. The Coso operating area in eastern California provides a classic example of this. The field is exploited by 3 plants, 2 of the plants operate in a US Naval Weapons Testing Area. Military authorities are reluctant to allow frequent outside visitors. Therefore, there has been almost no new development in the field since it became fully operational in 1990.

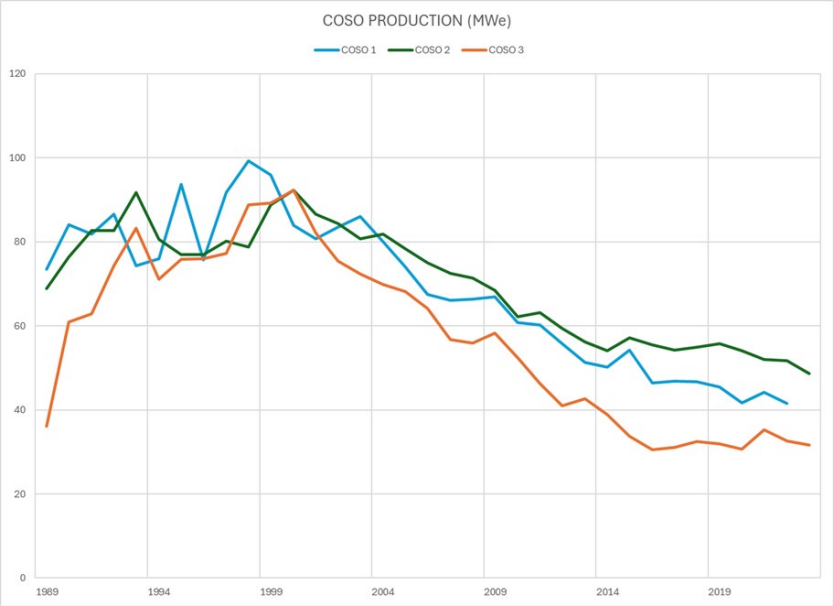

Figure 4 – Coso production 1989-2023

Production at all 3 areas in Coso peaked in the late 1990's and has since declined to less than half of that amount in a period of 25 years. Yet the NREL also assumes minimal operating costs throughout a plant's lifetime. Without new processing equipment or new wells, production will decline so that the average capacity factors discussed above will worsen over time for each individual plant.

Doubling the NREL estimates for geothermal LCOE would be very conservative if this decline and other factors are considered. The NREL has a category for variable expenses incurred at a geothermal plant but zero is the assigned estimate. This assumes that a plant can operate for 30 years without drilling new wells or replacing generating equipment. It looks like NREL estimates it will cost $8 million dollars a year in fixed operating expenses for a 40MW plant, which if operating a full capacity and prevailing rates would generate about $35 million a year gross income.

The NREL assumes that geothermal power would cost between $.062 -.106 per KWH. Doubling these estimates is justified by Figures 3 and 4, which would place geothermal energy's LCOE at $.124 -.212. This places it far above any renewable energy in cost. The LCOE of Solar plus Storage is $.075-.123. An additional factor to consider is that almost all new geothermal plants will be binary, which is at the high end of the geothermal cost estimates, and surely over $.20 per KWH.

The Geysers is not only the greatest geothermal production area in the United States, it is also the largest geothermal producing area in the world and has been for over 50 years now. It represents a resource that has no equal anywhere else on earth. Production from lesser areas is even more subject to economic uncertainties. Many plants never reach their projected capacity, and some are abandoned after only a few years of operation. The second most productive geothermal area in the United States is located on

the southeastern shore of the Salton Sea in the southern California desert. In this small area of 50 square miles, there are 11 operating geothermal plants. Seven of them were developed in the years while PURPA was still in force, between 1982 and 1990.

The Salton Sea area was a glamourous resort from the 1950-70s. Salton Sea has since become an unmitigated environmental disaster, yet the presence of eleven geothermal plants near the sea's southeastern shore is rarely, if ever, mentioned as a possible cause of this degradation. The salinity of the lake has increased dramatically since the 1980s. As a result, there have been massive fish die-offs as well as massive die-offs of the migratory birds which feed on these fish in the lake. There are reports of respiratory difficulties and documented high concentrations of hydrogen sulfide in the lake and surrounding areas.

The level of the Salton Sea has declined since the 1980s, leaving contaminated salt flats. The geothermal plants also use thousands of acre-feet of pumped Colorado river water (billions of gallons) per year to help maintain their operations. Meanwhile, the plants produce about 300MW per year. This amount could be generated by using the space set aside for the geothermal plants to produce solar energy without using any water, but that does not seem to have occurred to government planners.

Geothermal energy has caused numerous environmental problems which have been experienced throughout the world. The three primary environmental difficulties, which seem to be almost universal are: increased seismicity, toxic gas emissions and land subsidence. Indigenous religious and cultural beliefs and practices have also been ignored and damaged. Economic values cannot be placed on these problems, even though they are more significant.

Even upon strict economic grounds, geothermal energy should not exist. It was created and survives through subsidies and other incentives institutionalized by PURPA and ARRA as well as numerous other bills over the last 45 years.
Similar economic incentives were also included in the Big Beautiful Bill of 2025[viii] which cancels all residential renewable electricity tax credits but continues tax credits for commercial level geothermal projects.

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[i] EIA data is available through the Electricity Data Browser located at: https://www.eia.gov/electricity/data/browser/

[ii] EIA form EIA-867,"nonutility power producer report 1989-1998 available at: EIA.gov//electricity/data/EIA923. (The actual data table can be downloaded from the historical data section near the bottom of the page under:"1989-1998:EIA-867.)

[iii] State of Nevada Bureau of Mines available at : https://pubs.nbmg.unr.edu/Data-tables-and-graphs-p/of2012-03.htmli

[iv] California Energy Commission available at:

https://www.energy.ca.gov/data-reports/california-power-generation-and-power-sources

[v] PURPA - Public Law No. 95-617 (92 Stat. 3117).

[vi] ARRA – Public Law No 111-5 2009.

[vii] NREL – LCOE available at : https://atb.nrel.gov/electricity/2024/geothermal

[viii] Big Beautiful Bill – Public Law 119-21 2025 largely preserves investment and production tax credits for geothermal plants: National Groundwater Association: ngwa.org

HB-1981
Submitted on: 2/1/2026 6:22:30 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Petricci	Individual	Oppose	Written Testimony Only

Comments:

My name is Robert Petricci. Thank you for the opportunity to comrnt on this matter. I oppose any more tax dollars for geothermal, without an independant audit of what has been given already. What have taxpayers and ratepayers got for the tens of millions already given to the most litigated, and protested power projects in Hawaii history? Thousands of residents have been fighting these projects and asking you for help and relief since 1981 at least for good reason. Our concerns have never been addressed by DOH, or DLNR to this day. At the very least before you give them one more dime there needs to be an audit of what has already been given. I would bet not one of you knows how much has already been given and what have we got for it. Geothermal energy has a very controversial at best better described as bad history in Hawaii. PGV and HGP-A the only 2 geo power plants ever operated in Hawaii have the most declared emergencies, most forced and voluntary evacuations of any power source in the history of Hawaii. One thing we have gotten is the highest electric rates in the US by far. Putting the power where it is needed on homes and businesses is much better for both taxpayers and ratepayers than more pork for an industry that has never delivered on reducing our ele rates. Try to do something for us for a change, by funding residential "independent" non grid tied solar, instead of more millions to corporate campaign donors.

HB-1981
Submitted on: 2/1/2026 11:23:58 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mar Ortaleza	Individual	Oppose	Written Testimony Only

Comments:

Mar Ortaleza

13-926 Kahukai Street

Pahoa HI 96778

Bongbongortaleza@gmail.com

February 1, 2026

BILL NUMBER: **HB 1981, HB 1982, HB 1979, & HB 1650**

POSITION: STRONG OPPOSITION

RE: STRONG OPPOSITION RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS AND ENVIRONMENTAL REVIEWS

House Bill HB1981: RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.

Establishes a Geothermal, Carbon Sequestration, and Underground Water Resource Characterization Program via slim hole bores and a related statewide environmental assessment. Appropriates funds for the program and positions to support the program.

House Bill HB1982: RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

Appropriates funds to the Department of Hawaiian Home Lands for certain geothermal resource exploration and development activities and the hiring of consultants.

House Bill HB1979: RELATING TO ENVIRONMENTAL REVIEW.

Shortens the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. Requires judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.

House Bill HB 1650: RELATING TO ENVIRONMENTAL ASSESSMENTS.

Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.

Title: RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS

Aloha Chair Nicole Lowen, Vice Chair Amy Perruso, and Members of the Committee,

I submit this testimony in **Strong Opposition** to the above-referenced measures, which requires the Hawai‘i State Energy Office to conduct a statewide environmental assessment for, and subsequently administer, a Geothermal Resources Characterization Program under the direction of the University of Hawai‘i Groundwater and Geothermal Resources Center, and appropriates funds for that purpose.

These Bills represent a fundamental shift toward institutionalizing geothermal exploration under the guise of research while simultaneously weakening environmental protections and public oversight. Of particular concern is the University of Hawai‘i Groundwater and Geothermal Resources Center has been actively advancing legislative proposals that would override or shortcut existing environmental review requirements, including those involving seismic monitoring related to groundwater and geothermal exploration on Department of Hawaiian Home Lands (DHHL) and public trust lands.

Geothermal exploration is not a neutral scientific activity. It involves intrusive testing, drilling, and seismic monitoring that directly affect subsurface water systems, geologic stability, and culturally significant landscapes. Framing these activities as “characterization” does not change their physical impact or their legal implications. Authorizing such activities without full environmental review violates the precautionary principles embedded in Hawai‘i law and undermines long-standing protections for trust resources. We strongly oppose, shortening “the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. We strongly oppose amendments that will require judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.

Public trust lands and DHHL lands are not appropriate sites for experimental or exploratory geothermal programs. These lands are held in trust for specific Native Hawaiian beneficiaries and purposes, and any activity that risks contamination of groundwater, destabilization of geologic formations, or disruption of cultural sites constitutes a breach of fiduciary duty.

It is deeply concerning that the Department of Hawaiian Homes Lands proposing and administering the industrialization of Geothermal which is a violation of the State Constitution Article XII Section 7. The exclusion of Beneficiary consultation eliminates community input and oversight and creates a closed loop in which project proponents are empowered to define, implement, and evaluate their own impacts. Such an arrangement is incompatible with transparent governance and public accountability. Appropriation of State and/or Federal Funds with the intent of sponsoring statewide geothermal exploration threatens both the integrity of our trust land.

Furthermore, Industrialized geothermal development and drilling into **Kūpuna Pele** further endanger interconnected trust resources, including groundwater, air quality, and geologic stability. These risks are especially acute on the Moku O Keawe, where volcanic and aquifer systems are inseparable from subsistence practices, burial grounds, and ceremonial sites. **The State cannot lawfully authorize degradation of these resources under Article XI, Section 7 of the Hawai‘i State Constitution or under the fiduciary standards imposed by the Admissions Act of 1959 in the name of speculative energy benefit.**

With respect to DHHL lands, the breach is even more severe. **These lands are held in trust under the Hawaiian Homes Commission Act for the exclusive benefit of Native Hawaiian beneficiaries. Legislation proposing industrialized geothermal exploration or development that authorizes drilling into Kūpuna Pele on DHHL lands without prior beneficiary authorization already constitutes a violation of fiduciary duty. Beneficiary consultation cannot be treated as a procedural afterthought or a remedy for an unlawful act.**

Furthermore, consultation does not cure desecration. The proposal of industrialized geothermal exploration, development and **drilling into Kūpuna Pele** on trust lands without consent reflects a failure to honor both the cultural foundations of these lands and the legal obligations established to protect them. Beneficiaries are not merely stakeholders; we are Lineal Descendants of our Hawai'i, trust beneficiaries whose rights must guide, not follow, legislative action.

Accordingly, I urge this Committee to reject this measure because it:

1. Authorizes geothermal exploration under the guise of research while weakening environmental review;

2. Undermines protections for groundwater, seismic stability, and culturally significant lands;

3. Threatens DHHL and public trust lands with intrusive exploration activities; and

4. Prioritizes energy policy over environmental law and trust obligations.

Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific environmental review and meaningful community consent, particularly where trust lands are concerned.

Mahalo for the opportunity to submit this testimony.

Respectfully,

Mar Ortaleza

Resident, Leilani Estates

HB-1981
Submitted on: 2/2/2026 6:43:01 AM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nanci Munroe	Individual	Oppose	Written Testimony Only

Comments:

To The Hawai`i State Legislature:

HB 1981, HB 1982, HB 1979, HB 1650 are all in violation of the purpose of the function of the Department of Hawaiian Home Lands (DHHL), which are to provide housing and agricultural properties to those of Hawaian descent to perpetuate their lineages, culture and lifestyle which were denied after the illegal attempted overthrow of Queen Lili`uokalani on January 17, 1893. President Cleveland ordered her to be restored to the throne, yet the 55th Congress drafted a false document purported to be a treaty conveying sovereignty of the Hawaiian Kingdom to the United States. The Queen never relinquished her position as monarch, and there is NO LAWFUL TREATY OF ANNEXATION. The DHHL has no authority to desecrate properties beyong the purpose of providing housing and farm lands to beneficiaries.

For these reasons I strongly object to and oppose any and all activity relating to the above mentioned bills to conduct any drilling or exploration of any geothermail-related activity on the Island of Hawai`i by DHHL, as it is beyong their purvue.

Nanci Munroe

HB-1981
Submitted on: 2/2/2026 8:01:20 AM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Kim	Individual	Support	Written Testimony Only

Comments:

As I support geothermal resource development and carbon sequestration, the Hawaii Groundwater and Geothermal Resources Center (HGGRC) should execute the geothermal resource characterization. Through this University of Hawaii research unit, the State of Hawaii's most prominent earth scientists are researching Hawaii's groundwater resources. HGGRC obtained land access for research from dozens of landowners across the state. For research equipment, HGGRC has access to $1 million worth of geophysical equipment and a $3 million drill rig (Notably, Puna Geothermal Venture is the only other geothermal-focused organization in Hawaii that has a suitable drill rig). The State can further benefit from HGGRC and UH's research, expertise, and resources.

HB-1981
Submitted on: 2/2/2026 8:49:54 AM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Justine Kamelamela	Individual	Oppose	Written Testimony Only

Comments:

Strongly Oppose

Sara Steiner
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808-936-9546
pahoatoday@gmail.com

February 2, 2026

RE: OPPOSE HB1981 PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION, GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.

Dear ENERGY AND ENVIRONMENTAL PROTECTION Committee:

How does carbon sequestration benefit agriculture, clean energy and land use? You have to build entire power plants to supply the extra power you need to compress your carbon and then you gotta build pipelines to ship your carbon and roads as well. Then you have to maintain entire oil-fired power plants for each geothermal plant you want to build because geothermal isn't firm or reliable and has been knocked off many times in the last several decades. Geothermal is easily knocked offline for days when HELCO has power line issues, power pole breaks or when lightning strikes the plant (2011). Geothermal is knocked offline for weeks after hurricanes (Iselle 2014) and geothermal plants are offline for 2 ½ years after a lava flow erupts from the property line. It is not very smart to locate power plants in Lava Zone 1 when they erupt rather regularly.

Geothermal is not clean energy, it has deadly Hydrogen Sulfide as its main pollutant. Hydrogen Sulfide is 5 times more concentrated in Hawaii than other places in the world. As you see from the over 36 lawsuits in as many years, the residents living around the PGV plant have had to sue to try and get any health protection and compensation for harms from blowouts and other gassings. Geothermal plants use and lose hundreds of thousands of gallons of petrochemical pentane every year. Same with Nitrogen. NOT PONO if we are trying to get off oil and gas.

You Legislators must know that geothermal plants use and inject toxic chemicals underground that are known carcinogens and nerve disrupters. They also cause thousands of earthquakes per year. And they cause subsidence. These are not new developments, these are problems known to geothermal developers all over the world yet ignored here in Hawaii. You aren't going to ignore the harm to us any longer! You also must know that geothermal in Puna currently uses over 4 million gallons a day of water. Farmers and residents in Kona are always on water restrictions, but you want to give water for fracking? That is what enhanced geothermal is, and that is what is being proposed.

Hawaii legislators need to know that I had to file a lawsuit after PGV provided a substandard Final Environmental Impact Statement that does not disclose their induced seismicity or subsidence and the County of Hawaii accepted it as complete in 2024. There is also a lawsuit against the Health Department for refusing to make rules about where to locate and how to

monitor geothermal plants in Hawaii. You need to make the rules BEFORE you start permitting plants, starting with the one existing plant already. PGV needs to hook their seismometers up to the USGS website (like other geothermal plants in the mainland) so we can see their induced seismicity and how it is "not affecting the volcano, or is. Same with subsidence, those rules need to be made now as Professor Falk Amelung is concerned that the vertical and horizontal subsidence is more pronounced at PGV since they came back online in 2020. So far we have been ignored in favor of the myth that geothermal is a savior with no harmful effects in Hawaii.

In closing, there has never been robust community engagement over geothermal. We have waiting for 35 years. Our State and County reps don't come out here to our meetings, but the police are there many times because why? Because we are sick and angry, we are ignored, we are called "anti-geothermal NIMBYs" and we are tired of the treatment. We are told to call PGV when we get gassed and call 911!. PGV is allowed by the State and County of Hawaii to gas us with no source monitoring and operate without DOH UIC and County Building permits and that is going to end.

Very Sincerely,

/s/ Sara Steiner

To: State House of Representatives Energy and Environmental Committee

From: Momi Naughton, Ph.D.

RE: AGAINST the passage of HB No. 1981

Date: February 2, 2026

LATE

For those of us living on Hawai‘i Island, it seems unethical for the House of Representatives to entertain both this bill and HB 1982 without input from our communities.

As a retired university professor, I can see what’s happening here. The Trump administration has **slashed the budget for the National Science Foundation by billions of dollars,** leaving universities to scramble for funds to continue their research. **This isn’t about helping the people of Hawai‘i economically, it is about funding the University of Hawai‘i.**

I see this bill as being dove-tailed with S.B. No. 2901 which will try to skirt environmental regulations to develop geothermal drilling. The Trump administration in promoting “**drill baby drill”** industries have pulled back on hundreds of environmental laws. I just find it unimaginable that our state would follow thee failed and dangerous policies of the Trump administration.

Please vote against passage of HB 1981 and let’s look at wind and solar energy which, in Hawai‘i, are truly the way to develop sustainable energy.

HB-1981
Submitted on: 2/2/2026 7:49:58 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Selah levine	Individual	Oppose	Written Testimony Only

Comments:

I urge this Committee to reject this measure because it:

1. Authorizes geothermal exploration under the guise of research while weakening environmental review;

2. Undermines protections for groundwater, seismic stability, and culturally significant lands;

3. Threatens DHHL and public trust lands with intrusive exploration activities; and

4. Prioritizes energy policy over environmental law and trust obligations.

Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific environmental review and meaningful community consent, particularly where trust lands are concerned.

LATE

HB-1981
Submitted on: 2/2/2026 10:24:00 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Pi'ikea Loa	Individual	Oppose	Written Testimony Only

Comments:

I oppose the rephrasing of "geothermal development" as a slim-hole exploration program. I strongly oppose this Bill and the appropriation of public funds for this program and positions to support the program.

Cindy Freitas

makainanqi@gmailcom

LATE

OPPOSE UNLESS AMENDED – H.B. 1981

RELATING TO GEOTHERMAL, CARBON SEQUESTRATION, AND UNDERGROUND RESOURCE CHARACTERIZATION

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.
I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I respectfully submit testimony **OPPOSING H.B. 1981 UNLESS AMENDED**.

H.B. 1981 establishes a statewide slim-hole resource characterization program for geothermal, carbon sequestration, and underground water resources. Although framed as scientific research, the bill authorizes **subsurface drilling activities with long-term and irreversible implications** while **omitting essential protections for water resources, cultural landscapes, counties, and affected communities**.

WHAT IS MISSING FROM H.B. 1981

- **A prohibition on transition to development.** The bill does not prevent characterization data from being used to advance or justify future geothermal or carbon sequestration development without separate legislative approval and full project-level environmental review.
- **Location-based exclusions.** There are no explicit prohibitions on drilling in critical aquifer recharge areas, drinking water sources, volcanic or seismic zones, burial grounds, or culturally significant landscapes.
- **Water Code enforcement.** The bill does not require review or concurrence by the Commission on Water Resource Management or explicit consistency with the State Water Code, despite direct impacts to groundwater systems.
- **Site-specific environmental review.** A single programmatic environmental assessment is required, but there is no mandate for site-specific environmental review prior to drilling, nor safeguards against improper segmentation.
- **County and community consent.** Counties and communities are consulted, but the bill provides no authority to approve, condition, deny, or halt activities based on local impacts or objections.

- **Cultural impact protections.** There is no requirement for cultural impact assessments with decision-making authority, nor consent standards for lineal descendants or Native Hawaiian practitioners.
- **Safety, liability, and remediation standards.** The bill lacks clear safety protocols, liability allocation for contamination or subsidence, and mandatory site remediation and restoration requirements.
- **Fiscal transparency and limits.** Appropriations are open-ended, with no funding caps, audits, or cost-control measures.
- **Sunset and legislative reauthorization.** The program lacks a sunset date or requirement for legislative review before continuation or expansion.

REQUIRED AMENDMENTS (OPPOSE UNLESS ADOPTED)

H.B. 1981 should not advance unless amended to:

1. Prohibit use of characterization data to advance development without new legislative approval and full environmental review;
2. Exclude sensitive aquifers, volcanic zones, and culturally significant areas;
3. Require CWRM concurrence and Water Code compliance;
4. Mandate site-specific environmental and cultural impact assessments;
5. Require county and community consent authority;
6. Establish safety, liability, and remediation standards;
7. Set funding caps, audits, and transparency requirements;
8. Include a sunset clause and legislative reauthorization.

CONCLUSION

Slim-hole drilling is **not a neutral activity**. Without enforceable safeguards, H.B. 1981 places water resources, cultural integrity, and community safety at risk while shifting control away from counties and the Legislature.

For these reasons, I **OPPOSE H.B. 1981 UNLESS AMENDED**.

Mahalo

Cindy Freitas

HB-1981
Submitted on: 2/2/2026 11:05:32 PM
Testimony for EEP on 2/3/2026 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Testify
Terri Napeahi	Individual	Oppose	In Person

Comments:

I STRONGLY OPPOSE THIS MEASURE .

Terri Napeahi

Truth for the people and Pele Defense Fund

1787 Auwae Rd

Hilo, Hawai'i 96720

Bill number(s): HB1307 HD, HB1982, SB151 SD1

Position: STRONG OPPOSITION

Chair and Members of the Committee

Hawai‘i State Legislature

EEP

Honolulu, Hawai‘i 96813

RE: STRONG OPPOSITION TO INDUSTRIALIZED GEOTHERMAL DEVELOPMENT & DRILLING INTO KŪPUNA PELE ON PUBLIC TRUST & DHHL — MOKU O KEAWE & STATEWIDE

Aloha Chair and Members of the Committee:

I submit this testimony in Strong Opposition to all bills or measures authorizing industrialized geothermal exploration and development that would result in drilling into Kūpuna Pele on Moku

O Keawe and equally in opposition to its statewide initiative on public trust lands and Department of Hawaiian Home Lands (DHHL) trust lands.

Geothermal is not merely an “energy resource.” It is Kūpuna Pele. For Native Hawaiians, geothermal activity is the physical manifestation of a living ancestral presence, inseparable from our genealogies, ceremonies, and spiritual obligations to ʻāina. To authorize industrialized geothermal development is to authorize drilling into the body of Kūpuna Pele herself. This act constitutes desecration of a sacred elder and severs an enduring cultural relationship that predates the State of Hawaiʻi. No economic valuation can replace this relationship, and no regulatory framework can render such desecration acceptable.

Because of this cultural reality, industrialized geothermal development and drilling into Kūpuna Pele are fundamentally incompatible with the State’s constitutional and statutory duties. Article XI, Section 7 of the Hawaiʻi State Constitution which establishes that natural resources are held in public trust for the benefit of present and future generations. The public trust doctrine imposes an affirmative obligation upon the State to protect these resources and to prevent their impairment. Authorizing industrial drilling into geothermal systems prioritizes commercial extraction over protection and violates this constitutional mandate.

These obligations are further reinforced by the Hawaiʻi Admissions Act of 1959, which transferred former Crown and Government Lands to the State to be held in trust for specific public purposes until our Hawaiian Kingdom is restored. Those lands are subject to fiduciary duties that require their management for the benefit of Native Hawaiians. Industrialized geothermal development and drilling into Kūpuna Pele on these lands constitutes a misuse of trust assets and a breach of the State’s fiduciary responsibilities under both federal and State law.

Rather than serving as a cautionary example, current geothermal proposals repeat the same pattern of constitutional disregard. The State now seeks to expand industrialized geothermal exploration under a statewide renewable energy initiative, including on DHHL lands and former Crown and Government Lands, once again elevating energy policy and projected revenue generation — including claims of 100% royalties — over its constitutional and fiduciary obligations. This initiative would further entrench the practice of drilling into Kūpuna Pele as a matter of public policy. This is not a localized land-use issue; it is a systemic threat to the trust corpus across all islands.

Industrialized geothermal development and drilling into Kūpuna Pele further endanger interconnected trust resources, including groundwater, air quality, and geologic stability. These risks are especially acute on the Moku O Keawe, where volcanic and aquifer systems are

inseparable from subsistence practices, burial grounds, and ceremonial sites. The State cannot lawfully authorize degradation of these resources under Article XI, Section 7 of the Hawai‘i State Constitution or under the fiduciary standards imposed by the Admissions Act of 1959 in the name of speculative energy benefit.

With respect to DHHL lands, the breach is even more severe. These lands are held in trust under the Hawaiian Homes Commission Act for the exclusive benefit of Native Hawaiian beneficiaries. Legislation proposing industrialized geothermal exploration or development that authorizes drilling into Kūpuna Pele on DHHL lands without prior beneficiary authorization already constitutes a violation of fiduciary duty. Beneficiary consultation cannot be treated as a procedural afterthought or a remedy for an unlawful act. Furthermore, consultation does not cure desecration. The proposal of industrialized geothermal exploration, development and drilling into Kūpuna Pele on trust lands without consent reflects a failure to honor both the cultural foundations of these lands and the legal obligations established to protect them. Beneficiaries are not merely stakeholders; we are Lineal Descendants of our Hawai’i, trust beneficiaries whose rights must guide, not follow, legislative action.

Accordingly, I urge this Committee to reject all geothermal-related legislation that:

1. Treats geothermal as a commodity rather than Kūpuna Pele;

2. Authorizes industrialized geothermal exploration, development, or drilling into Kūpuna Pele on public trust lands, former Crown and Government Lands, or DHHL lands within the Moku O Keawe and statewide;

3. Violates the State’s duties under Article XI, Section 7 of the Hawai‘i State Constitution and the fiduciary obligations imposed by the Admissions Act of 1959;

4. Repeats the historic failures exemplified by Wao Kele o Puna;

5. Substitutes delayed consultation for prior consent by beneficiaries.

Energy policy must not override our birthright as Kānaka ‘Ōiwi of our ‘āina. DHHL Revenue of 100% royalties— must not override constitutional and fiduciary law. Industrialized development must not override ancestral relationships.

For these reasons, I respectfully request that this Committee defeat any measure authorizing industrialized geothermal exploration or development that would result in drilling into Kūpuna Pele on public trust, former Crown and Government, and DHHL lands.

Mahalo for the opportunity to submit this testimony.

Respectfully,

Terri Napeahi

Truth for the People / Pele Defense Fund

Pono Kealoha
1107 Acacia Rd #113
Pearl City, HI 96782
ponosize808@gmail.com

LATE

2/2/26
House Committee: EEP
Energy and Environmental Protection
BILL NUMBER: **HB 1981, HB 1982, HB 1979, & HB 1650**
POSITION: **STRONG OPPOSITION**
RE: STRONG OPPOSITION RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS AND ENVIRONMENTAL REVIEWS
House Bill HB1981: RELATING TO A PROGRAM TO CHARACTERIZE CARBON SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER RESOURCES STATEWIDE.
Establishes a Geothermal, Carbon Sequestration, and Underground Water Resource Characterization Program via slim hole bores and a related statewide environmental assessment. Appropriates funds for the program and positions to support the program.
House Bill HB1982: RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.
Appropriates funds to the Department of Hawaiian Home Lands for certain geothermal resource exploration and development activities and the hiring of consultants.
House Bill HB1979: RELATING TO ENVIRONMENTAL REVIEW.
Shortens the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. Requires judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.
House Bill HB 1650: RELATING TO ENVIRONMENTAL ASSESSMENTS.
Removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.
Title: RELATING TO GEOTHERMAL ENERGY EXPLORATION ON DHHL LANDS
Aloha Chair Nicole Lowen, Vice Chair Amy Perruso, and Members of the Committee,
I submit this testimony in **Strong Opposition** to the above-referenced measures, which requires the Hawai‘i State Energy Office to conduct a statewide environmental assessment for, and subsequently administer, a Geothermal Resources Characterization Program under the direction of the University of Hawai‘i Groundwater and Geothermal Resources Center, and appropriates funds for that purpose.
These Bills represent a fundamental shift toward institutionalizing geothermal exploration under the guise of research while simultaneously weakening environmental protections and public oversight. Of particular concern is the University of Hawai‘i Groundwater and Geothermal Resources Center has been actively advancing legislative proposals that would override or shortcut existing environmental review requirements, including those involving seismic monitoring related to groundwater and geothermal exploration on Department of Hawaiian Home Lands (DHHL) and public trust lands.
Geothermal exploration is not a neutral scientific activity. It involves intrusive testing, drilling, and seismic monitoring that directly affect subsurface water systems, geologic stability, and culturally significant landscapes. Framing these activities as “characterization” does not change their physical impact or their legal implications. Authorizing such activities without full environmental review violates the precautionary principles embedded in Hawai‘i law and undermines long-standing protections for trust resources. We strongly oppose, shortening “the period within which certain judicial proceedings involving environmental assessments and environmental impact statements for actions that propose the use of land for, or construction of, affordable housing or clean energy projects must be initiated. We strongly oppose

amendments that will require judicial proceedings involving actions that propose the use of land for, or construction of, affordable housing or clean energy projects to be filed directly with the Supreme Court and prohibits the Supreme Court from awarding attorneys' fees in these judicial proceedings.
Public trust lands and DHHL lands are not appropriate sites for experimental or exploratory geothermal programs. These lands are held in trust for specific Native Hawaiian beneficiaries and purposes, and any activity that risks contamination of groundwater, destabilization of geologic formations, or disruption of cultural sites constitutes a breach of fiduciary duty.
It is deeply concerning that the Department of Hawaiian Homes Lands proposing and administering the industrialization of Geothermal which is a violation of the State Constitution Article XII Section 7. The exclusion of Beneficiary consultation eliminates community input and oversight and creates a closed loop in which project proponents are empowered to define, implement, and evaluate their own impacts. Such an arrangement is incompatible with transparent governance and public accountability. Appropriation of State and/or Federal Funds with the intent of sponsoring statewide geothermal exploration threatens both the integrity of our trust land.
Furthermore, Industrialized geothermal development and drilling into **Kūpuna Pele** further endanger interconnected trust resources, including groundwater, air quality, and geologic stability. These risks are especially acute on the Moku O Keawe, where volcanic and aquifer systems are inseparable from subsistence practices, burial grounds, and ceremonial sites. **The State cannot lawfully authorize degradation of these resources under Article XI, Section 7 of the Hawai‘i State Constitution or under the fiduciary standards imposed by the Admissions Act of 1959 in the name of speculative energy benefit.**
With respect to DHHL lands, the breach is even more severe. **These lands are held in trust under the Hawaiian Homes Commission Act for the exclusive benefit of Native Hawaiian beneficiaries. Legislation proposing industrialized geothermal exploration or development that authorizes drilling into Kūpuna Pele on DHHL lands without prior beneficiary authorization already constitutes a violation of fiduciary duty. Beneficiary consultation cannot be treated as a procedural afterthought or a remedy for an unlawful act.**
Furthermore, consultation does not cure desecration. The proposal of industrialized geothermal exploration, development and **drilling into Kūpuna Pele** on trust lands without consent reflects a failure to honor both the cultural foundations of these lands and the legal obligations established to protect them. Beneficiaries are not merely stakeholders; we are Lineal Descendants of our Hawai’i, trust beneficiaries whose rights must guide, not follow, legislative action.
Accordingly, I urge this Committee to reject this measure because it:

1. Authorizes geothermal exploration under the guise of research while weakening environmental review;
2. Undermines protections for groundwater, seismic stability, and culturally significant lands;
3. Threatens DHHL and public trust lands with intrusive exploration activities; and
4. Prioritizes energy policy over environmental law and trust obligations.

Energy planning must not come at the expense of environmental integrity, public trust responsibilities, or Native Hawaiian rights. Any geothermal-related activity must remain subject to full, site-specific environmental review and meaningful community consent, particularly where trust lands are concerned.

Mahalo for the opportunity to submit this testimony.

Respectfully,
Pono Kealoha

A'ole Bill HB1981. I, Kristina ZaZueta highly OPPOSE any Geothermal Bills. They will not benefit the people, the aina, the wai or the future generations. In an era with so much disconnection to nature we must preserve what we have left. This
progression towards energy exploration threatens our natural resources, especially our water and air quality. 'A'ole Geothermal. Please consider putting People (and quality of life) over Profits (Developmental Destruction for $)
Mahalo