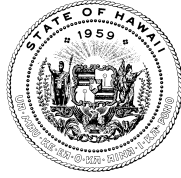


JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii'i*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii'i*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIR
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION
ON FEBRUARY 3, 2026 AT 9:30AM IN CR 325

HB 1982, RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

February 3, 2026

Aloha Chair Lowen, Vice Chair Perruso, and Members of the Committee:

The Department of Hawaiian Home Lands (DHHL) **supports** this bill which appropriates funds to the Department of Hawaiian Home Lands for certain geothermal resource exploration and development activities and the hiring of consultants.

This legislative proposal was approved by the Hawaiian Homes Commission (HHC). DHHL is currently in the exploration/investigation phase of development of geothermal resources on its trust lands. Earlier work done at the University of Hawai'i has identified several sites where the probability of finding viable geothermal resource warrants further investigation. By island, these sites include:

- Hawai'i: Humu'ula/Upper Pi'ihonua, Pu'ukapu, Kawaihae and Kamā'oa/Pu'u'eo (South Point)
- Maui: Kahikinui and Wākiu/Hāna
- Moloka'i: Ho'olehua/Nā'iwa
- O'ahu: Lualualei/Wai'anae Valley, Waimānalo, Ha'ikū Valley, Waiāhole
- Kaua'i: Upper Wailua

The customary exploration process would be to first conduct on-site inspections and certain geoscientific surveys including non-invasive geophysics testing (e.g., gravity and magnetotellurics), geochemistry and conceptual modelling. If the results of that testing warrant further investigation, then slim-hole exploratory well drilling and analysis would be called for. The preliminary estimate of the expense of geoscientific surveys at all 12 sites would fall in the \$4M - \$5M range. The preliminary estimate of the expense of slim-hole drilling at 6 (assuming a 50% rate of advancement) of the sites would fall in the \$40M - \$50M range. DHHL would look to contract with the University of Hawai'i and its Hawai'i Groundwater & Geothermal

Resources Center (HGGRC) for this work but anticipates needing to additionally hire industry drilling consultants and crews to meet the anticipated demand for services.

DHHL is currently preparing to conduct in-person and virtual beneficiary informational briefings at homestead communities throughout the state. These opportunities to share information and receive feedback regarding DHHL's geothermal exploration program and the potential benefits of geothermal development to the trust and our beneficiaries are scheduled to commence in April/May 2026.

Thank you for your consideration of our testimony.

HB-1982

Submitted on: 1/30/2026 8:47:46 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-1982

Submitted on: 1/31/2026 9:49:56 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

Strongly Oppose HB1982

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-1982

Submitted on: 1/31/2026 10:01:21 PM

Testimony for EEP on 2/3/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kanoeuluwehianuhea Case	Truth for the People	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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SEQUESTRATION POTENTIAL AND GEOTHERMAL AND UNDERGROUND WATER
RESOURCES STATEWIDE.

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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.

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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-1982

Submitted on: 2/1/2026 9:29:58 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:

NO TO GEOTHERMAL- PUNA COMMUNITY HAS BEEN SUFFERING FOR OVER 40 YEARS!

HB-1982

Submitted on: 2/1/2026 12:09:40 PM

Testimony for EEP on 2/3/2026 9:30:00 AM

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

Comments:

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

Mahalo for the opportunity to provide testimony in opposition to this bill. While supporting the intent of this bill, and recognizing that the legislature has already awarded DHHL \$500,000 towards this effort previously, it seems a more prudent use of tax payer funds to consolidate these needed geothermal exploration efforts into a centralized commitment as proposed in HB1981 with the Hawaii State Energy Office and the University of Hawaii organizing the technical exploratory teams all over the state in partnership with DHHL.

Each of these key players could draw on a wider breadth and depth of expertise that would result in a greater synergy than any one entity can create alone, resulting in a better knowledge base and much better solutions at less expense to Hawaiian tax payers.

What was the result of DHHL's initial \$500,000 funding?

Why does DHHL need its own exploratory team separate from the rest of the State? Why not work together to find a much needed solution that allows Hawaii as a whole to be independent of fossil fuels? Why force tax payers to fund dual geothermal exploratory efforts?

With Aloha,

Lisa Bishop

Oahu resident, homeowner, tax payer, voter

To: House Committee on Energy & Environmental Protection (and any joint referrals)
From: Jasmine Steiner, KahuPuna / We Are Puna
Date: February 1, 2026
Re: Strongly Oppose HB1982 – Relating to the Department of Hawaiian Home Lands – Geothermal Appropriation

Aloha Chair and Members of the Committee,
My name is Jasmine Steiner, KahuPuna advocate protecting Puna's sacred lands from geothermal desecration. See wearepuna.wixsite.com/aloha-activism for our mission against projects harming Pele's domain, community health, and Hawaiian rights.

I strongly oppose HB1982, which appropriates \$5 million to the Department of Hawaiian Home Lands (DHHL) for geothermal exploration, drilling, geophysical data, slim holes, and consultants – directly targeting Hawaiian Home Lands for exploitation.

This fake state, illegitimate since the 1893 overthrow, tramples Hawaiian sovereignty. HB1982 is sneaked in: introduced January 26, 2026, with hearings rushed (e.g., February 3 for related measures), denying meaningful public input. This bypasses voices in Puna and beyond – criminal tactics to profit outsiders while silencing us.

No real Hawaiian supports desecrating, selling off, or "leveraging" Madame Pele – only sell-outs do. DHHL Chair Kali Watson stated in the newspaper: "They've got to be supportive. Otherwise, we're not going to do it." Guess what? Hawaiian beneficiaries have ALL said NO, and you in this Senate know it – it's super sad to watch as a child of Hawaii.

The Royal House/Royal Order of the Still Standing Hawaiian Kingdom said 'A'OLE to geothermal in testimony against HB1307 last year, declaring 'Ā'ole Geothermal!! as an assault on cultural sovereignty. Yet HB1982 pushes forward, mocking DHHL's purpose to benefit Native Hawaiians, not exploit their trusts for corporate gain.

This comes during the Hawaii geothermal communities active ICA injunction cas against the County and PGV to halt future permits on the basis of a fraudulent environmental impact statement (aren't you folks also trying to push a bill stating no EIS's are going to be required this 2026 session? Convenient yeah that would be for you this geo agenda!), exposing decades of lies, and misreporting.

PGV's fracking in sacred Kīlauea grounds causes toxic pollution and severe health effects that have inflicted immense suffering on Hawai'i's only geothermal community for

decades. We've lost loved ones to emissions – deaths from cancers, respiratory failures, and other ailments tied to the toxins. Hundreds in Puna have lost their quality of life forever: ongoing sickness, contaminated environments, and emotional trauma. I personally have 4 generations of immediate family members who have lost their lives to geothermal and will never know health again – and I am not alone. No one in this fake state or county gives two shits; you all conceal these crimes against humanity in Puna, covering up the devastation and dismissing us as crazy. it is extremely naive to think the Hawaiian people, silenced and suffering for so long, will let this expand to thousands more kanakas and their beautiful ohanas. We won't allow it. #aolehewa

HB1982 funds more exploration despite this ongoing injunction case awaiting to be heard, enabling violations while justice is pending.

Geothermal is destructive mining, not sustainable. It brings pollution, seismic risks, and cultural erasure under false job/energy promises. HB1982 funnels millions into this flawed industry on sacred trusts.

Justice is due: Kill HB1982. Honor beneficiary opposition, the injunction, and true Hawaiian rights. Stop criminal legislation desecrating our 'āina.

Ā'ole PGV! Ā'ole Geothermal on Hawaiian Home Lands!

Respectfully,
Jasmine Steiner
KahuPuna / #WeArePuna
Wearepuna@gmail.com
13-430 pohoiki road
Pahoa hi 96778
wearepuna.wixsite.com/aloha-activism

HB-1982

Submitted on: 2/1/2026 1:12:26 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.

Enough. We've spent millions & millions on 'consultants' & have nothing to show for it.

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 1989-1998ⁱⁱ, but I have only been able to find data for other years through the state of Nevadaⁱⁱⁱ 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.

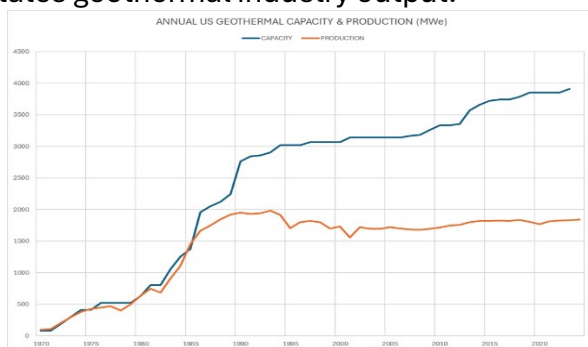


Figure 1. Total US Geothermal Capacity/Production

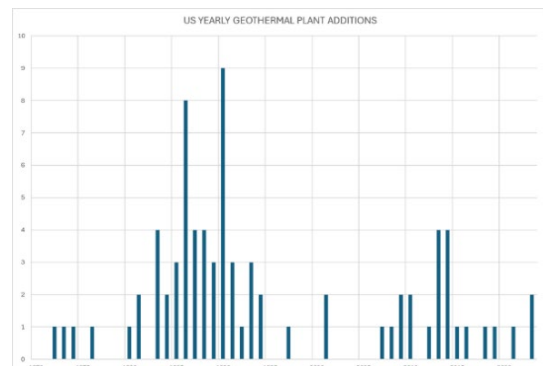


Figure 2. Total US Geothermal Plant Additions

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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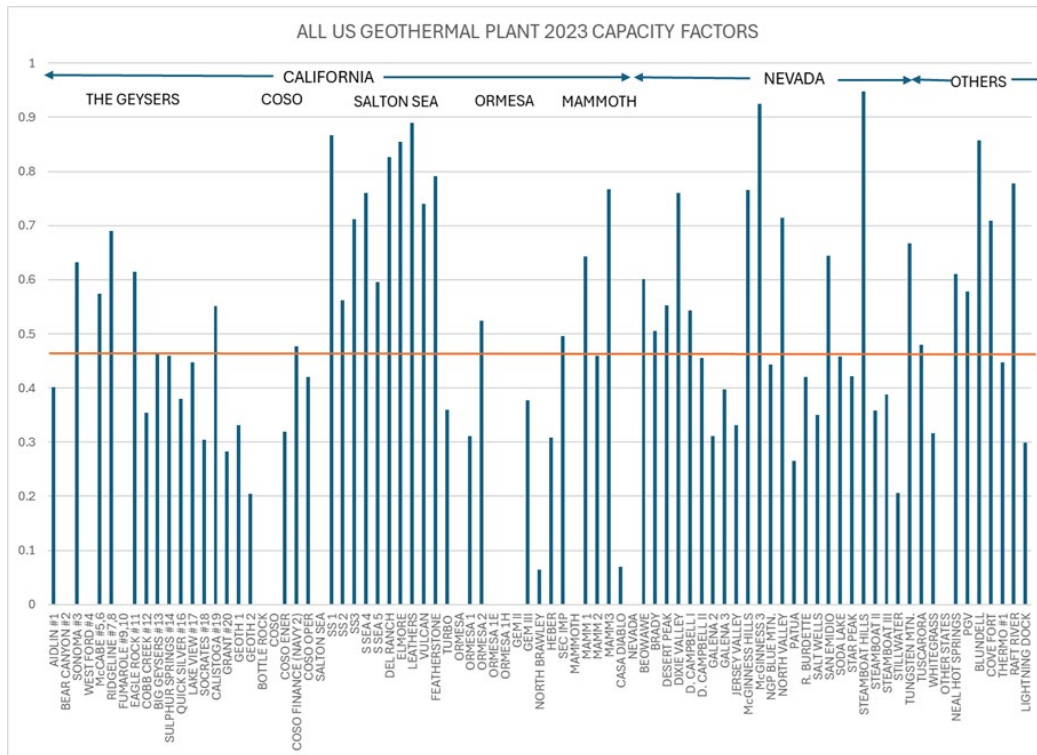


Figure 3. All US geothermal plant capacity factors for 2023

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 horizontal 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.

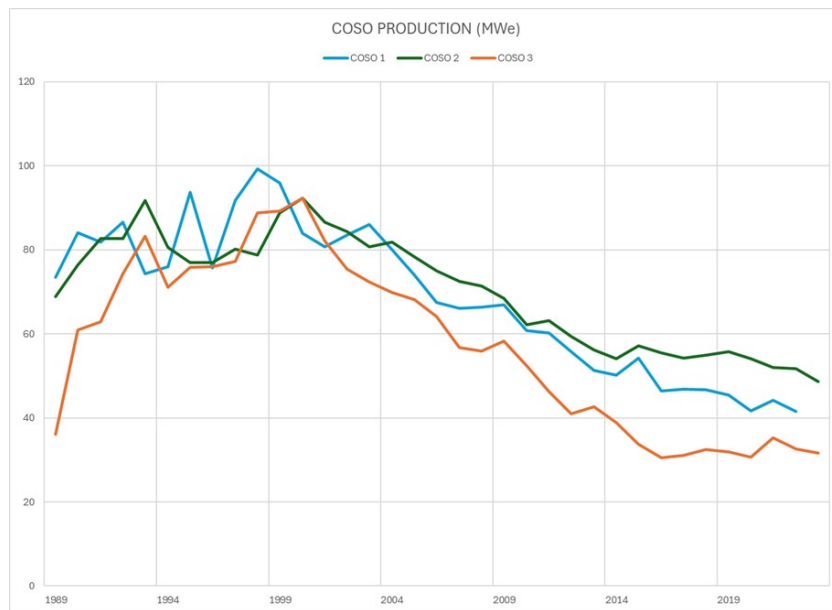


Figure 4 – Coso production 1989-2023

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 glamorous 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](https://www.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.nbmj.unr.edu/Data-tables-and-graphs-p/of2012-03.html>

^{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-1982

Submitted on: 2/1/2026 11:04:42 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:

Robert Petricci

in opposition to HB1982

I oppose any more money being used for geothermal projects until an audit is done to account for the tens of millions already given for geo projects since 1980. What have we got for those tax dollars, what is the real total? 100 million? More? From the interisland cable to the HGP-A, to the slim hole projects, SOH project, other exploration, media campaigns, litigation, policing the protest, the emergency evacuations, the investigation of the KS-8 blowout, relocation programs, True Geothermal, to PGV, and Waika. All of it, how many total federal, state, and county tax dollars have these projects cost us? What have they got for those millions? Some people have made a lot of money over the last 45 years. Who got what exactly? Are the same people getting money every year? What did the taxpayers get? We still have the highest electric rates in the US, much higher, Alaska is a distant second. We have had the promise of cheap electricity from geothermal since 1980, but it has not materialized. The reality is the bigger problem stopping affordable electricity is all centralized power production. In Hawaii the grid is expensive, it is the Achilles Heel of affordable electricity. Producing the power where it is used is the solution, not more centralized power production. Producing the power where it is used eliminates that cost for consumers. You will never get affordable or competitive power so long as it has to be distributed through the grid. Look at what the grid is and what the cost to build and maintain it are. The poles, wire, transformers, substations, installation, trucks and manpower to maintain it, tree trimming and much more. Eliminate those costs and you will see a real reduction in what consumers pay. Not to mention the vulnerabilities to disruption from weather, lava flows, accidents, equipment failure, or cyber attack. There are much better ways for ratepayers, taxpayers, and Hawaiian Home recipients to get their electricity today than building a centralized power production and a distribution network. Let the homeowners own their power systems if you want affordable power. If you want to create a monopoly that benefits a few at the cost of homeowners, stick with what you're doing. Owning an independent solar system means no electric bill once it is paid for. In 5 to 19 years an independant solar system will pay for itself. Last I checked the average electric bill in Hawaii was \$400, that is \$4,800 a year. That is \$24,000 in 5 years. A good reliable home system can be installed today for that. These tax dollars would benefit the people by helping them get a system that will result in a reduction to zero from the highest rates in the US. Giving that money to special interest as this bill does is not the best use of our tax dollars. I have lived off grid since 2000. My bill is zero, I did not lose power during the 2018 eruption or Tropical Storm Iselle. I have never lost power, ever. Reliability, and

affordability are here today. Puna has thousands of people who live off grid. Puna is the largest off grid community I can find in the US. You could learn a lot from that, the truth is independent solar threatens HELCO and the energy monopolies that bring the highest rates. You can not keep doing the same things while expecting a different outcome. Thank you for considering what I am saying. I can answer any questions about cost or the other things I have said here today.

Robert Petricci

HB-1982

Submitted on: 2/1/2026 11:25:15 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-1982

Submitted on: 2/2/2026 7:58:01 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:

Historically, the Department of Hawaiian Home Lands (DHHL) has been underfunded, and many eligible Native Hawaiians have died while waiting for homestead lands. DHHL needs more money to fulfill its obligation to Native Hawaiian housing. As DHHL may hold high geothermal potential, the geothermal resource could potentially provide DHHL a revenue stream, which can lower electricity costs for homestead beneficiaries and pay for home construction.

Under DHHL's oversight, the Hawaii Groundwater and Geothermal Resources Center at the University of Hawaii at Manoa should execute the geothermal resource characterization. Doing so will enable the State to further benefit from HGGRC's research and expertise. Through HGGRC, the state'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).

When DHHL was considering geothermal development on Hawaiian home lands, HGGRC's senior researchers Donald Thomas and Nicole Lautze freely shared their knowledge. Collectively, these preeminent Hawaii geothermal scientists presented at least 5 presentations relating to their findings about geothermal resources on DHHL lands: 1 to DHHL, 3 to Sovereign Council of Hawaiian Homestead Associations.

Historically, native Hawaiians have used volcanic heat directly for bathing and cooking, and so did the Maoris of New Zealand, another group of Pacific Islanders. Geothermal energy now provides more than 17 percent of New Zealand's energy and serves as one of New Zealand's cheapest energy sources. Indigenous Maori tribes are benefitting from the geothermal power plants on their tribal lands.

New Zealand has demonstrated that geothermal energy can be produced while improving the quality of life for its residents including Maoris, respecting the Maori culture, and caring for the environment. Hawaii can do the same for the betterment of the native Hawaiians.

HB-1982

Submitted on: 2/2/2026 8:52:07 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
13-430 Pohoiki Road
P.O. Box 1081
Pahoa, Hawaii 96778
808-936-9546
pahoatoday@gmail.com

February 2, 2026

RE: OPPOSE HB1982 RELATING TO THE DEPARTMENT OF HAWAIIAN
HOME LANDS.

Dear ENERGY AND ENVIRONMENTAL PROTECTION Committee:

I am afraid that geothermal resources do not provide stable power. Hawaii's one geothermal plant since 1993, Puna Geothermal Venture "PGV" has never met their capacity quota even one year since they opened. Ask HELCO how many times they have had to supplement because PGV doesn't provide their guaranteed power on a 24/7/365 basis.

What are you considering "community benefits"? Using geothermal funds to pay for 200 spy cameras for the town of Pahoa? PGV giving money every year to sponsor the Christmas Parade and various church and school functions? Paying for lifeguard stations and transfer stations? How does paying money benefit the residents who live in constant fear of when the next time they will be gassed is? How does allowing PGV to place the perimeter monitors for deadly Hydrogen Sulfide 150' above the plant and north where the wind does not blow? How are we being protected by police and fire when we call 911 when we are being gassed and we are told to hang up and "call the PGV hotline"? So far, there has been NO BENEFIT to the residents living near PGV, we have had to sue PGV and the County and State of Hawaii no less than 36 times in as many years.

The legislature should not be using taxpayer money to hire "consultants" to help "navigate the intricacies of geothermal development". Geothermal has had 50 years already to prove it's worth and yet it's still .4% of the total power of the United States. It is a losing proposition anyway you look at it, and geothermal power is a welfare queen and would not exist without government subsidies and purchase power agreements mandated by Congress. My colleague Laurence Wood submitted his essay on how geothermal would not exist in the US without government handouts.

Solar, wind, wave and hydropower do not gas people with deadly Hydrogen Sulfide, they do not generate thousands of earthquakes a year or cause subsidence (except for dams/water storage). They do not require HAZMAT emergency responders, which is how the emergency responders are supposed to respond to PGV upsets, not tell us to call the polluter.

I have several lawsuits right now relating to geothermal in Hawaii. One is over the County of Hawaii accepting a substandard Final Environmental Impact Statement that did not disclose underground impacts. The second is because the State of Hawaii dismissed my Rulemaking Petition for Siting and Seismic and Subsidence Monitoring of Geothermal Plants. So far the

residents have to sue since the 1980's because the government is not doing their job of protecting the health and environment or monitoring the public land resource PGV uses.

The University of Hawaii Geothermal Groundwater Resource Program has had 50 years of taxpayer funds for drilling all over the islands looking for geothermal already. Let them show you all the maps and charts and reports of previous work. No more taxpayer funds should be given to them to be spent on any more geothermal studies or more drilling. It is not viable, it is time to lay it to rest.

The only exploratory drilling going on should be to provide water to the farmers on the parched sides of the island!

/s/ Sara Steiner

Terri Napeahi
1787 Auwae Rd
Hilo, Hawai'i
tnapeahi@yahoo.com
January 31, 2026

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.

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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,

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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,

Terri L. Napeahi
Truth for the People

To: State House of Representative Energy and Environmental Protection Committee

From: Momi Naughton, Ph.D.

RE: AGAINST the passage of HB No. 1982

Date: February 2, 2026

LATE

I am shocked and dismayed that the House of Representative would even bring up this bill that would support **President Trump's "drill, baby, drill"** agenda. Geothermal development is not a viable alternative to fossil fuels and it will hurt our environment for years to come if not forever.

To misuse Hawaiian Homes Lands in this way is criminal and this mirrors the very long history of companies polluting and doing toxic dumping on Indian reservations. By the passage of this bill, **we will mirror the history of radioactive and other hazardous dumped on Indian reservations from nuclear test sites, uranium mines, and power plants.**

Puna Geothermal has already shown that **geothermal energy is not clean energy**. On the Mainland U.S., companies looking for places to dump their toxic waste have desired to dump on native American lands because of less environmental regulation and enforcement.

According to the New York Times (Jan. 20, 2021) the first Trump administration rolled back about 100 environmental rules and we, in Hawai'i seem to be going along with the plan of **resource colonization** through this bill.

As with many Native American nations, Hawaiians on Hawaiian Homes Lands have nowhere to move to once their lands are polluted. We here on Hawai'i Island are tired to being used as guinea pigs to see if our water will not be polluted, or our air will remain clean (except of days of heavy vog) through the experiment of geothermal energy.

Please reject HB 1982.

LATE

HB-1982

Submitted on: 2/2/2026 7:50:57 PM

Testimony for EEP on 2/3/2026 9:30:00 AM

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

Comments:

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.

HB-1982

Submitted on: 2/2/2026 10:32:29 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:

LATE

Strongly OPPOSE HB 1982.

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.

Cindy Freitas
makainanqi@gmail.com

LATE

OPPOSE UNLESS AMENDED – H.B. 1982

RELATING TO DHHL AND GEOTHERMAL ACTIVITIES ON HAWAIIAN HOME LANDS

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. 1982 UNLESS AMENDED.**

H.B. 1982 appropriates \$5,000,000 to the Department of Hawaiian Home Lands (DHHL) for slim-hole drilling, water well development, geophysical data collection, and geothermal development activities on Hawaiian home lands. Although characterized as research and follow-up work, the bill authorizes **intrusive subsurface activities on trust lands without essential protections for beneficiaries, water resources, cultural integrity, counties, or the public.**

WHAT IS MISSING FROM H.B. 1982

- **Beneficiary consent and approval standards.** The bill does not require informed consent or approval by affected homestead communities or establish how beneficiary interests are protected.
- **A prohibition on transition to commercial development.** There is no safeguard preventing these funds or data from advancing commercial geothermal development without separate legislative authorization and full project-level environmental review.
- **Water Code compliance and CWRM oversight.** Despite authorizing water wells and subsurface drilling, the bill does not require review or concurrence by the Commission on Water Resource Management or explicit consistency with the State Water Code.
- **Environmental review requirements.** The bill lacks any requirement for Chapter 343 environmental assessment or EIS prior to drilling and does not prohibit segmentation.
- **Cultural impact protections.** There are no cultural impact assessments, lineal descendant/practitioner consent standards, or protections for burials and culturally significant subsurface areas.
- **County coordination and land-use controls.** The bill does not require county concurrence or coordination, nor allow counties to condition or deny activities based on land-use, water, or public safety concerns.

- **Safety, liability, and remediation standards.** There are no safety protocols, liability allocation for contamination/subsidence/induced seismicity, or mandatory site remediation and restoration requirements.
- **Reporting, transparency, and data-use limits.** The bill lacks reporting to the Legislature, public disclosure of locations and findings, and limits on how collected data may be used in future proposals.
- **Sunset and legislative reauthorization.** There is no sunset clause or requirement for legislative review before continuation or expansion.

REQUIRED AMENDMENTS (OPPOSE UNLESS ADOPTED)

H.B. 1982 should not advance unless amended to:

1. Require **beneficiary consent and approval standards**;
2. Prohibit **use of funds/data to advance commercial development** without new legislative authorization and full environmental review;
3. Mandate **CWRM concurrence and Water Code compliance**;
4. Require **site-specific environmental and cultural impact assessments**;
5. Require **county coordination and concurrence**;
6. Establish **safety, liability, monitoring, and remediation standards**;
7. Add **reporting, transparency, and data-use limits**;
8. Include a **sunset clause and legislative reauthorization**.

CONCLUSION

Hawaiian home lands are trust lands. Activities that place water resources, cultural integrity, and community safety at risk **must not proceed without enforceable protections and beneficiary consent**. Without the amendments above, H.B. 1982 shifts risk onto beneficiaries and communities while removing essential oversight.

For these reasons, I **OPPOSE H.B. 1982 UNLESS AMENDED**.

Mahalo

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LATE

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 HB1982. I, Kristina ZaZueta highly OPPOSE any Geothermal Bills. They will not benefit the people, the aina, the wai or the future generations. Since Geothermal began in the 70s we have only seen more devastation then benefit. The vog was never this bad as present day til they first started Geothermal, big earthquakes started happening once they tapped into Tutu Pele on Big Island. Geothermal will continue to hurt Hawai'i, and lower the quality of life for residents especially near the Geothermal Plant(s), from respiratory issues to water quality (as many are on catchment systems over there). Mahalo

"Aloha Chair and committee, my name is Ekini Lindsey. With unwavering positivity and profound dedication to our collective future, I present this testimony in strong opposition to HB 1981, HB 1982, HB 1979, and HB 1650, advocating for a path that prioritizes environmental protection and community welfare; these bills would expose DHHL lands and public trust lands to geothermal exploration and development, diminishing vital environmental assessments and public accountability, thereby endangering groundwater, geological stability, and culturally significant landscapes, and I urge the committee to safeguard our environmental integrity, uphold public trust, and respect Native Hawaiian rights.

Mahalo!"