



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

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Statement of
MARY ALICE EVANS, Director

before the
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

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

in consideration of
HB 1650
RELATING TO ENVIRONMENTAL ASSESSMENTS

Chair Lowen, Vice Chair Perruso, and Members of the House Committee on Energy & Environmental Protection, the Office of Planning and Sustainable Development (OPSD) offers the following comments on HB 1650, which proposes to amend subsection (a) of HRS Section 343-5.

HB 1650 would repeal the environmental assessment requirement for proposals within 1) a historic site (as designated in the National or Hawaii Register of Historic Places), or 2) the Waikiki special district.

The findings section of the bill notes that because the city and county of Honolulu has adopted ordinances and other requirements regarding the permitting of development projects within the Waikiki special district, it is unnecessary and redundant to require all proposals for any use within the Waikiki special district to undergo environmental review pursuant to HRS Chapter 343.

The findings and purposes section of HRS Chapter 343 explains that the environmental review process beneficially integrates the review of environmental concerns with existing planning process to produce better informed decisions, along with supporting public participation and enhanced cooperation and coordination.

The environmental review process authorizes agencies to exempt certain actions from the erstwhile requirement of preparing an environmental assessment (EA) or environmental impact statement (EIS). Accordingly, the record shows that an average of only one private development per year proposed in the Waikiki special district undergoes environmental review (ten EAs or EISs in the last ten years); many more than this are exempted. While the environmental review process does not appear to present an overbearing hurdle for private development in Waikiki, OPSD is not opposed to repealing the "use of the Waikiki special district" trigger from HRS Chapter 343. The City and County of Honolulu has established their

own requirement for some applicants to undergo environmental review pursuant to their own ordinances, even when the actions do not trigger HRS Chapter 343, so they can establish their own trigger for uses within the Waikiki special district if they believe it would be beneficial.

The bill offers no finding or rationale for the proposed elimination of the “use of a historic sites” trigger for environmental review, so it is unclear why this is being proposed. Many of the nine categories of actions that trigger the environmental review process relate to sensitive or important environments and facilities, including this trigger related to historic sites. Eliminating this trigger is not consistent with the intent of the process, which is to disclose likely impacts to sensitive or important environments and facilities from proposed actions for better decision-making.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
P.O. BOX 621
HONOLULU, HAWAII 96809

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ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the House Committee on
ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, February 3, 2026
9:30 AM

State Capitol, Conference Room 325 and Via Videoconference

In consideration of
HOUSE BILL 1650
RELATING TO ENVIRONMENTAL ASSESSMENTS

House Bill 1650 would amend Hawaii Revised Statutes (HRS) § 343-5 to repeal the environmental assessment (EA) requirement for actions that propose any use within any historic site as designated in the National or Hawaii Registers of Historic Places, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or HRS Chapter 6E. It also repeals the EA requirement for actions that propose any use within the Waikiki Special District. **The Department of Land and Natural Resources (Department) submits the following comments for consideration.**

The Department recognizes the need to clarify and streamline the historic preservation review process by eliminating any duplicated efforts. The EA requirement for actions on state or county lands listed in the National or Hawaii Registers of Historic Places and for actions within the Waikiki Special District do have some similarities to the HRS Chapter 6E historic preservation review processes. The EA stage of project development, however, requires a project proponent assess and take into account the impacts of their project early on in the design development process, rather than after the project has already been designed and/or is entering the permitting stage of the development process. This early assessment is critical for making changes to proposed actions to prevent adverse effects to historic properties and critical environmental resources, and minimize delays during the implementation process.

The Department recommends that if the language within HRS §343-5(a)(4) is repealed, that new language within HRS §343-5(c) and (e) be added that stipulates all Environmental Assessment required under HRS §343-5 must include historic property identification and assessment of effects.

Mahalo for the opportunity to comment on this measure.



TESTIMONY WITH COMMENTS ON HOUSE BILL 1650
RELATING TO ENVIRONMENTAL ASSESSMENTS

House Committee on
Energy and Environmental Protection
Hawai'i State Capitol

February 3, 2026

9:30AM

Room 325

Aloha e Chair Lowen, Vice Chair Perruso, and Members of the Committee on Energy and Environmental Protection :

The Office of Hawaiian Affairs (OHA) provides **COMMENTS** on HB1650, which proposes to remove historic sites and the Waikiki special district from the requirement for environmental assessments under Section 343-5, Hawai'i Revised Statutes (HRS).

OHA is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians.¹ As part of our constitutional and statutory mandate, OHA regularly assesses the policies and practices of other agencies impacting on Native Hawaiians and conducts advocacy efforts on their behalf.² In this capacity, OHA has substantial experience with the application of HRS Chapter 343, Hawai'i's environmental review law, and HRS Chapter 6E, the State's historic preservation law—both of which frequently have significant implications for Native Hawaiian impacts.

In OHA's experience, it is rare for a project to trigger Chapter 343 environmental review solely based on a proposed use within a historic site listed on the National or Hawai'i Register. Most projects located within historic sites also trigger environmental review due to the use of state or county lands, or because they occur within conservation districts. As such, removing historic sites as a trigger under HRS § 343-5 is unlikely to meaningfully reduce the volume of environmental reviews. However, the continued inclusion of this trigger remains critical as a safety-net provision.

¹ Haw. Const. Art. XII § 5.

² See HRS § 10-3(4).

When this trigger does apply independently, it captures projects that may otherwise evade review that have the potential to cause irreversible impacts to historic, cultural, and archaeological resources. Chapter 343 provides for early disclosure and meaningful public participation before decisions are made. By contrast, review under HRS Chapter 6E or the National Historic Preservation Act (NHPA) typically occurs later in the project timeline and is focused primarily on mitigation, rather than avoidance or informed decision-making at the outset. **Accordingly, OHA suggests that the committee amend the bill (page 2 line 20 to page 3 line 2) to leave the historic site trigger in HRS 343-5(a)(4) to ensure continued protection of these already identified cultural treasures.**

Lastly, we note that the Waikīkī Special District trigger was adopted in response to intense development pressures and stakeholder concerns regarding cumulative impacts, and to ensure meaningful environmental disclosure for projects that might otherwise avoid review. Waikīkī is also an area with a high concentration of cultural, historic, and archaeological resources. While HRS Chapter 6E review, Special Management Area permitting, and *Ka Paʻakai* protections still apply to projects exempt from HRS Chapter 343, public input opportunities on these matters are lost by removing the Waikīkī Special district trigger as proposed in the current bill.

Mahalo for the opportunity to testify on this measure. OHA respectfully urges the committee to carefully consider our **COMMENTS** on HB1650.



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 1259 A'ala Street, Suite 300
Honolulu, HI 96817

February 3, 2026

The Honorable Nicole E. Lowen, Chair

House Committee on Energy & Environmental Protection
State Capitol, Conference Room 325 & Videoconference

RE: House Bill 1650, Relating to Environmental Assessments

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

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

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR provides **comments** on House Bill 1650, which removes historic sites and the Waikiki special district from the requirement for environmental assessments under section 343-5, HRS.

We support the intent of policies that streamline processes and remove barriers to the creation of housing in Hawaii. We believe removing duplicative requirements where they exist helps to avoid unnecessary delays while continuing to uphold appropriate environmental and cultural safeguards.

Mahalo for the opportunity to testify.





Hawai'i YIMBY
Honolulu, HI 96814
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February 3, 2026

House Committee on Energy & Environmental Protections
Hawai'i State Capitol
Honolulu, HI 96813

RE: SUPPORT for HB 1650 - RELATING TO ENVIRONMENTAL ASSESSMENTS

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

On behalf of Hawai'i YIMBY, we are writing in **support of HB 1650**. Hawai'i is facing a serious housing shortage, and with limited developable land, we must rely on redeveloping aging buildings into new, more efficient, and more dense homes. As our population grows and housing needs change, infill and redevelopment in existing urban areas are essential tools for addressing this crisis. **However, many overlapping state and county regulations have increased the cost of building housing and extended project timelines, contributing directly to the shortage we face today.**

HB 1650 takes a targeted and reasonable step toward reducing unnecessary duplication in the development approval process. In places like the Chinatown and Waikiki special districts, the City and County of Honolulu already requires extensive review through its special district permitting process. These reviews include public input, design oversight, and specific protections for historic and culturally significant structures. Requiring an additional environmental assessment under Chapter 343 for the same projects often repeats similar analyses, adding time and cost without providing meaningful new information.

Protecting truly historic sites and the unique character of Waikiki remains important, and this bill does not remove those protections. County-level rules and special district regulations would still apply, and projects would still be subject to zoning



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controls, historic preservation review, and public oversight. HB 1650 simply recognizes that in certain heavily regulated urban areas, the county process already addresses many of the same concerns covered by a Chapter 343 environmental assessment.

It is also important to recognize the nature of the projects affected by this bill. These are not developments on pristine or undeveloped land. They are redevelopment projects in areas that are already fully urbanized, often involving older buildings, surface parking lots, or underused commercial structures. These projects improve existing neighborhoods by replacing outdated structures with housing that better meets today's needs.

By removing duplicative review requirements in these limited circumstances, HB 1650 can help reduce uncertainty, shorten timelines, and lower costs for housing development, while still maintaining strong local oversight and historic protections. Streamlining processes in already developed urban areas is a practical and necessary step toward increasing housing supply and addressing Hawai'i's housing shortage.

Hawai'i YIMBY (*Yes In My Backyard*) is a volunteer-led grassroots advocacy organization dedicated to supporting bold and effective solutions for Hawai'i's devastating housing crisis. Our members are deeply concerned about Hawai'i's chronic and worsening housing shortage, which has caused home prices to rise much faster than incomes and pushes thousands of kama'āina out to the mainland or into homelessness every single year.

We ask your support for this bill. Thank you for the opportunity to testify.

Sincerely,

Damien Waikoloa
Chapter Lead, Hawai'i YIMBY

Huey Kwik
Chapter Lead, Hawai'i YIMBY

Edgardo Díaz Vega
Chapter Lead, Hawai'i YIMBY





United Chinese Society of Hawaii

美國夏威夷中華總會館

Established 1884

42 N. King Street, Honolulu, HI 96817 Office: (808) 536-4621

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February 2, 2026

Hawaii State House of Representatives
House Committee on Energy & Environmental Protection
Conference Room 325
Hearing: February 3, 2026 9:30am

RE: HB 1650 – Relating to Environmental Assessments – Support

Chair Lowen, Vice-Chair Perruso, and Committee Members,

The United Chinese Society of Hawaii (“UCS”) **supports** the intent of HB 1650 to exempt historical sites and the Waikiki special district from the requirement for environmental assessments under Section 343-5, of the Hawaii Revised Statutes.

The UCS’ Hall building (42 N. King Street) is located in the Chinatown Special Historic District (“District”), and UCS represents a number of Chinese societies, clubs, and non-profit organizations that also owns commercial properties in the District. As our member organizations undertake redevelopment and renovation projects, UCS recognizes that the environmental assessment requirement is redundant and onerous because our properties are also subject to special permit and project review requirements before the City & County of Honolulu Department of Planning & Permitting and the State of Hawaii Historic Preservation Division. UCS is hopeful that HB 1650 would enable property owners in the District to complete future redevelopment and renovation projects in a timelier and cost efficient manner.

UCS appreciates this effort to promote a clean, safe, and vibrant community in the Honolulu Chinatown District. Thank you for your consideration.

Sincerely,

/s/ Robert Yu
President, United Chinese Society

cc: Victor Lim (Chair), Robert Yu, and Kendrick S. Chang, Government Affairs Committee, United Chinese Society of Hawaii

About the United Chinese Society of Hawaii: The United Chinese Society of Hawaii was established in 1884 and is the premier and leading Chinese organization in the State of Hawaii representing well-over one hundred Chinese societies, clubs, and organizations. The United Chinese Society of Hawaii is a non-profit organization incorporated under the laws of the State of Hawaii and the United States of America, whose primary purpose is to provide community service for the general health and welfare of the citizens and to promote friendly relations among the Chinese in Hawaii, the United States of America, and internationally.

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since 1912



February 2, 2026

RE: Testimony of The Outdoor Circle Opposition To HB1650 (2026)--**Relating to Environmental Review; Historic Sites and the Waikīkī Special District**

Dear Chair, Vice Chair, and Members of the Committee,

The Outdoor Circle respectfully opposes HB1650.

While the bill is framed as a streamlining measure, it removes long-standing Environmental Assessment (EA) triggers for historic sites and for actions within the Waikīkī Special District without providing equivalent environmental protections.

Chapter 343 is not simply a procedural requirement--it is Hawai'i's primary environmental disclosure statute, designed to ensure informed decision-making, transparency, and public participation before irreversible commitments are made. HB1650 weakens that framework in precisely those areas where cumulative impacts and long-term consequences are most likely.

Historic Sites: Environmental Review Serves a Distinct Purpose

Under current law, actions proposed within designated historic sites trigger an EA because these places are recognized as resources of statewide significance. While historic preservation review under Chapter 6E may still apply, it does not serve the same function as Chapter 343. Chapter 6E review is primarily compliance-based and resource-specific, focusing on whether historic properties are affected and what mitigation may be required. Chapter 343, by contrast, requires broader analysis of environmental, cultural, and social impacts, consideration of alternatives, and public disclosure at an early stage.

Removing historic sites as a categorical EA trigger narrows the scope of review and reduces transparency in situations where impacts may be irreversible. In The Outdoor Circle's view, this change weakens, rather than modernizes, Hawai'i's approach to protecting historic and cultural resources.

Waikīkī Special District: County Design Controls Are Not Environmental Review

The Waikīkī Special District may be cited as justification for eliminating the state EA trigger. While Waikīkī is subject to extensive county zoning and design regulations, those controls are not equivalent to environmental review under Chapter 343.

Waikīkī Special District review is primarily focused on urban form, architectural design, density, and aesthetics. It does not consistently require comprehensive analysis of traffic, water resources, coastal processes, climate resilience, or cumulative environmental impacts. Nor does it provide the same level of consolidated public disclosure and participation required under Chapter 343. The existence of local design and zoning controls does not eliminate the need for state-level environmental disclosure in an area that has long been recognized as one of statewide concern.

Clarifying Efficiency and Litigation Concerns

The Outdoor Circle recognizes concerns about delay, cost, and litigation associated with environmental review. If those concerns warrant legislative attention, they should be addressed directly through targeted reforms to timelines, thresholds, or procedures. Eliminating long-standing EA triggers, however, does not resolve those issues and instead removes a critical disclosure tool. **Urbanized areas still experience cumulative impacts, and once historic or scenic values are lost, they cannot be recovered. That is exactly why these triggers existed.** Chapter 343 was designed to ensure that these impacts are evaluated transparently and early, before incremental decisions foreclose meaningful alternatives. Streamlining should focus on improving the process, not bypassing it where consequences are permanent.

Erosion of Statewide Environmental Oversight

Historic sites and Waikīkī were deliberately included in Chapter 343 because incremental development decisions in these areas can result in permanent and cumulative harm.

HB1650 removes these safeguards without establishing clear thresholds, environmental equivalency standards, or alternative mechanisms to ensure comparable review. Rather than refining environmental review, the bill broadly exempts categories that have historically warranted heightened scrutiny.

The Outdoor Circle supports thoughtful efforts to improve efficiency and reduce unnecessary duplication. However, efficiency should not come at the expense of environmental transparency, public participation, or protection of resources that belong to the people of Hawai'i as a whole.

HB1650 removes critical environmental review triggers without replacing them with functionally equivalent protections. For these reasons, The Outdoor Circle respectfully opposes HB1650.

Thank you for your consideration of this testimony.



Winston Welch, Executive Director

HB-1650

Submitted on: 1/30/2026 5:46:49 PM

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

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committeemembers,

As a resident of Waikiki, I see and experience the crushing affordability and opportunity crisis our working- and middle-class families are facing. Crushing regulatory burdens harm our economy and prevent us from building the housing and broader infrastructure our society needs to thrive. HB1650 **POSITIVELY** changes that dynamic. I **STRONGLY URGE** the committee to **SUPPORT** this bill!

HB-1650

Submitted on: 1/31/2026 9:58:07 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 HB 1650

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-1650

Submitted on: 1/31/2026 10:04:46 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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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.

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.

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,

Kanoeuluwehianuhea Case

HB-1650

Submitted on: 2/1/2026 11:21:46 AM

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

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose

HB-1650

Submitted on: 2/1/2026 1:26:18 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.

Please stop weakening our hard-fought environmental rules.

HB-1650

Submitted on: 2/1/2026 8:24:08 PM

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

Submitted By	Organization	Testifier Position	Testify
Henrietta Jeremiah	Individual	Oppose	Written Testimony Only

Comments:

I oppose any more drilling, minning or blasting into Ko Pae Aina, our beloved aina . We are her stewards called to protect Hawaii pae aina. Believe that Ua mau ka ea o ka aina I ka pono, the life of the land is perpetuated in righteousness. Remember your Kuleana Aina

HB-1650

Submitted on: 2/1/2026 11:13:18 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

This bill sets a bad precedent. I oppose reducing the environmental assessments.

Mahalo

Robert Petricci

HB-1650

Submitted on: 2/1/2026 11:27:41 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-1650

Submitted on: 2/2/2026 9:00:29 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

HB-1650

Submitted on: 2/2/2026 11:20:58 AM

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

Submitted By	Organization	Testifier Position	Testify
Michelle Matson	Individual	Oppose	Written Testimony Only

Comments:

STRONG OPPOSITION - PLEASE KILL THIS BILL THAT SMACKS OF CORRUPTION !!

This Act (H.B. NO. 1650 should not be enacted. There should be no diminution of the National And State Historic Laws, ordinances, or statutes. I have written over 20 successful nominations for the State and National Historic Registers and at this time I can see no violation by any government or private entity of my nominations.

However, there are 2 egregious examples of violations on the State and National Historic Registers for the Ala Wai Canal and Promenade:

1) With no review a number of stairways leading from the Promenade into the Canal were hurriedly cemented up. There was no public review, no EIS to my knowledge that analyzed the visual impact on the destruction of the makai bluestone structural features. Further the National Park Service States “Integrity is the ability of a property to convey its significance. There are seven aspects of integrity—setting, location, design, materials, workmanship, and feeling.” There was clearly a violation of “the design, materials, workmanship, and feeling” of the Canal and Promenade. There are engineering ways to secure the strength of the Canal wall and stairs without obscuring the historical structure. (Please see the historical bluestone revetment wall now being restored at Honouliuli Internment Monument.); and

2) The proposed bridge design across the Ala Wai Canal also fails when the analysis of the National Park criteria is applied. (Perhaps this is why it has taken an extraordinary amount of time to hope for approval of this project.) Again, the seven aspects of integrity—setting, location, design, materials, workmanship, and feeling are clearly being violated. Obscuring and concreting-over the historical Ala Wai Canal and Promenade negates the historical structure. The Ala Wai Park, also historically eligible, is planned to be violated, cutting the park in half from the 100s of park users. The view planes of our natural scenic beauty of Diamond Head and the Koolau Mountains will be blocked, and the already existing 0-Build Ordinance/statute will be ignored.

Laura Ruby
808 366-0847
lruby@hawaii.edu

HB-1650

Submitted on: 2/2/2026 2:46:11 PM

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

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Members of the EEP Committee,

I am submitting testimony as an individual.

I currently serve as the President of the Kokua Council, Vice President of the Hawaii Alliance for Retired Americans (HARA), and was formerly a Waikiki Neighborhood Board Member from Jan. 2023 until June 2025.

I am in strong opposition to HB1650 as written, and hope that those on the committee understand that the Special District requirements and other requirements for environmental assessment were put in place after long and careful review, to protect the land and waterways and to protect the rights of the people of Hawaii.

I ask that you please vote no on HB1650.

Respectfully,

Gregory Misakian

LATE

HB-1650

Submitted on: 2/2/2026 6:13:28 PM

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

Submitted By	Organization	Testifier Position	Testify
Pua Case	Individual	Oppose	In Person

Comments:

I strongly oppose HB1650.

This bill would weaken Hawai‘i’s environmental review laws by eliminating environmental assessment requirements for development proposals within historic sites and the Waikīkī Special District. These requirements are not redundant. They exist to ensure informed decision-making, transparency, and meaningful public participation when actions may significantly affect environmental, cultural, and historic resources.

Waikīkī and designated historic areas are already heavily developed and environmentally stressed. Removing environmental assessments in these locations increases the risk of unchecked cumulative impacts on shoreline areas, infrastructure, cultural resources, and historic properties. Chapter 343 is one of the few tools that requires agencies to consider these impacts holistically before approvals are granted.

Local zoning and permitting processes do not provide the same level of analysis, alternatives review, or public disclosure as an environmental assessment. Eliminating this safeguard prioritizes speed and convenience over responsible planning and long-term stewardship.

HB1650 also sets a troubling precedent by exempting entire areas from environmental review based on location rather than impact. Development in historic districts and Waikīkī should receive greater scrutiny, not less, due to their cultural significance and public trust status.

For these reasons, I urge the Legislature to reject HB1650 and preserve Hawai‘i’s commitment to environmental protection, cultural preservation, and public involvement in land use decisions.

PUA CASE

LATE

HB-1650

Submitted on: 2/2/2026 7:52:56 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.

Pono Kealoha
1107 Acacia Rd #113
Pearl City, HI 96782
ponosize808@gmail.com
2/2/26

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

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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.

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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

LATE

HB-1650

Submitted on: 2/2/2026 11:33:43 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:

Strong opposition of HB1650. Reducing EA and EIS requirements, however tedious or annoying that may be for some businesses is NOT the solution. Our poor Hawai'i, always getting bullied in the name of money. Historic sites and existent natural beauty are things that make our islands so special and should never be compromised. Please help protect and preserve what little we have left of our good 'ol Hawai'i by making responsible decisions.

LATE

HB-1650

Submitted on: 2/2/2026 11:36:47 PM

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

Submitted By	Organization	Testifier Position	Testify
Terri Napeahi	Individual	Oppose	Written Testimony Only

Comments:

I strongly disagree and oppose!

Environmental Reviews are necessary, to ensure not only the protection of ENVIRONMENT, but the Protection of the State of Hawai'i Constitution, ensuring the Host people and lineal descendants of the land have an opportunity to protect their Kupuna Iwi and significant Cultural sites. Burial grounds is typically found in areas near the ocean and in Sand. Artical XII Section 7, NAGPRA, AIRFA and NHPA Section 106 Consultation.

Terri Napeahi
PDF and K.A.N.

1787 Auwae Rd

Hilo , Hawai'i 97620