

ACT 207

S.B. NO. 3285

A Bill for an Act Relating to Natural Resources.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 182-1, Hawaii Revised Statutes, is amended by amending the definition of “geothermal resources” to read:

“ “Geothermal resources” means the natural heat of the earth, the energy, in whatever form, below the surface of the earth present in, resulting from, or created by, or which may be extracted from, such natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases, and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas [or], other hydrocarbon substances[.], and any water, mineral in solution, or other product obtained from naturally heated fluids, brines, associated gases, and steam, in whatever form, found below the surface of the earth, having a temperature of 150 degrees Fahrenheit or less, and not used for electrical power generation.”

SECTION 2. Section¹ 205, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§205- Exploratory wells. Notwithstanding sections 205-5.1(a), (d), and (e), or any other provision of law, any exploratory well drilled for scientific purposes or to determine the economic viability of a geothermal resource, may be permitted outside of a designated geothermal resource subzone, regardless of land use classification, provided that the activity is limited to exploration only. All applicable state and county permits shall be required to drill such exploratory wells which shall not be exempt from the requirements of the environmental impact statement law, chapter 343, Hawaii Revised Statutes.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.²

SECTION 4. This Act shall take effect upon its approval.

(Approved June 19, 1990)

Notes

1. So in original.
2. Edited pursuant to HRS §23G-16.5.