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## A BILL FOR AN ACT

RELATING TO GEOTHERMAL RESOURCES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

PART I

SECTION 1. The purpose of this Act is to address geothermal resource exploration and development in the State and to provide for a comprehensive statutory scheme that is exclusive and uniform throughout the State.

More specifically:

(1) Part II amends chapter 182, Hawaii Revised Statutes, to expressly provide that geothermal resource exploration permits for reserved lands shall be issued by the board of land and natural resources. The board's rules currently provide for the issuance of such exploration permits for both state and reserved lands, and the statute should be consistent with those rules; and

(2) Part III amends chapter 205, Hawaii Revised Statutes, to provide the board of land and natural resources with the authority to issue a permit for geothermal resource development activities on lands within the



1 conservation district and to authorize county  
2 authorities within the respective counties to issue  
3 permits for geothermal resource development activities  
4 on lands within the agricultural, rural, and urban  
5 districts, where the respective county does not have  
6 legislation in place that permits geothermal resource  
7 development.

8 PART II

9 SECTION 2. Section 182-6, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§182-6 **Exploration.** Any person wishing to conduct  
12 exploration on state or reserved lands shall apply to the board  
13 of land and natural resources who shall issue exploration  
14 permits upon terms and conditions as it shall by regulation  
15 prescribe. During and as a result of the exploration, no  
16 minerals of such types and quantity beyond that reasonably  
17 required for testing and analysis shall be extracted and removed  
18 from such state or reserved lands. Upon termination of the  
19 exploration permit, the drill logs and the results of the assays  
20 resulting from the exploration shall be turned over to the board  
21 and kept confidential by the board. If the person shall not  
22 make application for a mining lease of the lands within a period



1 of six months from the date the information is turned over to  
2 the board, the board in its discretion need not keep the  
3 information confidential.

4 This section shall be construed as authorizing the board to  
5 issue an exploration permit for geothermal resources as well as  
6 minerals."

7 PART III

8 SECTION 3. Chapter 205A, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§205-A Geothermal resource development permits. (a)  
12 Activities within the conservation district shall be governed by  
13 the board in accordance with subsection (b); and in an  
14 agricultural, rural, or urban district, the appropriate county  
15 authority may issue a geothermal resource permit to allow  
16 geothermal development activities in accordance with subsections  
17 (c) and (d), if the development is not considered a permissible  
18 use under applicable county ordinance or general plan.

19 "Appropriate county authority" means the county planning  
20 commission unless the respective county's agency or body is  
21 designated by applicable provisions of the charter or by  
22 ordinance of the county council to issue development permits.



1        (b) If geothermal development activities are proposed  
2 within a conservation district by an application containing all  
3 required data, the board of land and natural resources shall  
4 conduct a public hearing, and upon appropriate request for  
5 mediation from any party who submitted written comment at the  
6 public hearing, the board shall appoint a mediator within  
7 fourteen days. The board shall require the parties to  
8 participate in mediation. The mediator shall not be a member of  
9 the board or its staff. The mediation period shall not extend  
10 beyond sixty days after the date mediation started, except by  
11 order of the board. Mediation shall be confined to the issues  
12 raised at the public hearing by the party requesting mediation.  
13 The mediator will submit a written recommendation to the board  
14 based upon any mediation agreement reached between any of the  
15 parties for consideration by the board in its final decision.  
16 If there is no mediation agreement on all the issues raised at  
17 the public hearing, the board may conduct a second public  
18 hearing to receive additional comments related to the mediation  
19 issues. Within ten days after the second public hearing, the  
20 board may receive additional written comments on the issues  
21 raised at the second public hearing from any party.



1       The board shall consider the comments raised at the second  
2 hearing before rendering its final decision. The board shall  
3 then determine whether, pursuant to rule, a conservation  
4 district use permit shall be granted to authorize the geothermal  
5 development activities described in the application. The board  
6 shall grant a conservation district use permit if it finds that:

7       (1) The desired uses would not have unreasonable adverse  
8 health, environmental, or socio-economic effects on  
9 residents or surrounding property; and

10       (2) The desired uses would not unreasonably burden public  
11 agencies to provide roads and streets, sewers, water,  
12 drainage, and police and fire protection; or

13       (3) There are reasonable measures available to mitigate  
14 the unreasonable adverse effects or burdens referred  
15 to above, which the board shall have the authority to  
16 prescribe as conditions for the proposed geothermal  
17 resource development.

18       A decision shall be made by the board within six months of  
19 the date a complete application is filed; provided that the time  
20 limit may be extended by agreement between the applicant and the  
21 board. The board shall have the exclusive authority to impose  
22 reasonable conditions and restrictions upon the proposed



1 development activities in support of its findings, except to the  
2 extent that the department of health and other state and federal  
3 agencies have jurisdiction to regulate such activities.

4 (c) If geothermal resource development activities are  
5 proposed within agricultural, rural, or urban districts, and the  
6 proposed activities are not expressly permitted uses pursuant to  
7 county general plan and zoning ordinances, then, after receipt  
8 of a properly filed and completed application, including all  
9 required supporting data, the appropriate county authority shall  
10 conduct a public hearing. Upon appropriate request for  
11 mediation from any party who submitted written comment at the  
12 public hearing, the county authority shall appoint a mediator  
13 within fourteen days. The county authority shall require the  
14 parties to participate in mediation. The mediator shall not be  
15 an employee of any county agency or its staff. The mediation  
16 period shall not extend beyond sixty days after mediation  
17 started, except by order of the county authority. Mediation  
18 shall be confined to the issues raised at the public hearing by  
19 the party requesting mediation. The mediator shall submit a  
20 written recommendation to the county authority, based upon any  
21 mediation agreement reached between any of the parties for  
22 consideration by the county authority in its final decision. If



1 there is no mediation agreement on the issues raised during the  
2 public hearing, the county authority may conduct a second public  
3 hearing to receive additional comment related to the mediation  
4 issues. Within ten days after the second public hearing, the  
5 county authority may receive additional written comment on the  
6 issues raised at the second public hearing from any party.

7 The county authority shall consider the comments raised at  
8 the second hearing before rendering its final decision. The  
9 county authority shall then determine whether a geothermal  
10 resource permit shall be granted to authorize the geothermal  
11 development activities described in the application. The  
12 appropriate county authority shall grant a geothermal resource  
13 permit if it finds that the applicant has demonstrated that:

14 (1) The desired uses would not have unreasonable adverse  
15 health, environmental, or socio-economic effects on  
16 residents or surrounding property;

17 (2) The desired uses would not unreasonably burden public  
18 agencies to provide roads and streets, sewers, water,  
19 drainage, school improvements, and police and fire  
20 protection; and

21 (3) There are reasonable measures available to mitigate  
22 the unreasonable adverse effects or burdens referred



1           to above, which the county authority may prescribe as  
2           conditions for the proposed geothermal resource  
3           development.

4           Unless there is a mutual agreement to extend the  
5           proceeding, a decision shall be made on the application by the  
6           appropriate county authority within six months of the date a  
7           complete application was filed; provided that the time limit may  
8           be extended by agreement between the applicant and the  
9           appropriate county authority. The board or county authority  
10           shall have exclusive authority to impose reasonable restrictions  
11           and conditions for the geothermal development activities in  
12           support of its findings, except to the extent that the  
13           department of health and other federal and state agencies have  
14           jurisdiction to regulate such activities.

15           (d) Requests for mediation shall be received by the board  
16           or county authority within five days after the close of the  
17           initial public hearing. Within fourteen days thereafter, the  
18           board or county authority shall appoint a mediator. Any person  
19           submitting an appropriate request for mediation shall be  
20           notified by the board or county authority of the date, time, and  
21           place of the mediation conference by depositing the notice in  
22           the mail to the return address stated on the request for





1 mediation. The notice shall be mailed no later than ten days  
2 before the start of the mediation conference. The conference  
3 shall be held on the island where the public hearing is held.

4 (e) Any decision made by an appropriate county authority  
5 or the board pursuant to a public hearing or hearings under this  
6 section may be appealed directly on the record to the  
7 intermediate appellate court for final decision and shall not be  
8 subject to a contested case hearing. Sections 91-14(b) and (g)  
9 shall govern the appeal, notwithstanding the lack of a contested  
10 case hearing on the matter. The appropriate county authority or  
11 the board shall provide a court reporter to produce a transcript  
12 of the proceedings at all public hearings under this section for  
13 purposes of an appeal.

14 (f) For the purposes of an appeal from a decision from a  
15 public hearing, the record shall include:

16 (1) The application for the permit and all accompanying  
17 supporting documents, including but not limited to:  
18 reports, studies, affidavits, statements, and  
19 exhibits;

20 (2) Staff recommendations submitted to the members of the  
21 agency in consideration of the application;



- 1        (3) Oral and written public testimony received at the
- 2            public hearings;
- 3        (4) Written transcripts of the proceedings at the public
- 4            hearings;
- 5        (5) The written recommendation received by the agency from
- 6            the mediator with any mediation agreement on any
- 7            issue;
- 8        (6) A statement of relevant matters noticed by the agency
- 9            members at the public hearings;
- 10       (7) The written decision of the agency issued in
- 11           connection with the application and public hearings;
- 12           and
- 13       (8) Other documents required by the board or county
- 14           authority."

15        SECTION 4. Section 205-2, Hawaii Revised Statutes, is  
 16 amended by amending subsections (b), (c), and (d) to read as  
 17 follows:

18        "(b) Urban districts shall include activities or uses as  
 19 provided by ordinances or regulations of the county within which  
 20 the urban district is situated.

21        In addition, urban districts shall include geothermal  
 22 resources exploration and geothermal resources development, as



1 defined under section 182-1, as permissible uses [-]; provided  
2 that a geothermal resource permit may be required for geothermal  
3 resource development activities in accordance with section 205-

4 A.

5 (c) Rural districts shall include activities or uses as  
6 characterized by low density residential lots of not more than  
7 one dwelling house per one-half acre, except as provided by  
8 county ordinance pursuant to section 46-4(c), in areas where  
9 "city-like" concentration of people, structures, streets, and  
10 urban level of services are absent, and where small farms are  
11 intermixed with low density residential lots except that within  
12 a subdivision, as defined in section 484-1, the commission for  
13 good cause may allow one lot of less than one-half acre, but not  
14 less than eighteen thousand five hundred square feet, or an  
15 equivalent residential density, within a rural subdivision and  
16 permit the construction of one dwelling on such lot; provided  
17 that all other dwellings in the subdivision shall have a minimum  
18 lot size of one-half acre or 21,780 square feet. Such petition  
19 for variance may be processed under the special permit  
20 procedure. These districts may include contiguous areas which  
21 are not suited to low density residential lots or small farms by  
22 reason of topography, soils, and other related characteristics.



1 Rural districts shall also include golf courses, golf driving  
2 ranges, and golf-related facilities.

3 In addition to the uses listed in this subsection, rural  
4 districts shall include geothermal resources exploration and  
5 geothermal resources development, as defined under section  
6 182-1, as permissible uses~~[-]~~; provided that a geothermal  
7 resource permit may be required for geothermal resource  
8 development activities in accordance with section 205-A.

9 (d) ~~[Agricultural]~~ Permissible uses in agricultural  
10 districts shall include:

11 (1) Activities or uses as characterized by the cultivation  
12 of crops, crops for bioenergy, orchards, forage, and  
13 forestry;

14 (2) Farming activities or uses related to animal husbandry  
15 and game and fish propagation;

16 (3) Aquaculture, which means the production of aquatic  
17 plant and animal life within ponds and other bodies of  
18 water;

19 (4) Wind generated energy production for public, private,  
20 and commercial use;



- 1           (5) Biofuel production, as described in section  
2                   205-4.5(a)(16), for public, private, and commercial  
3                   use;
- 4           (6) Solar energy facilities; provided that:
- 5                   (A) This paragraph shall apply only to land with soil  
6                           classified by the land study bureau's detailed  
7                           land classification as overall (master)  
8                           productivity rating class B, C, D, or E; and
- 9                   (B) Solar energy facilities placed within land with  
10                           soil classified as overall productivity rating  
11                           class B or C shall not occupy more than ten per  
12                           cent of the acreage of the parcel, or twenty  
13                           acres of land, whichever is lesser;
- 14           (7) Bona fide agricultural services and uses that support  
15                   the agricultural activities of the fee or leasehold  
16                   owner of the property and accessory to any of the  
17                   above activities, regardless of whether conducted on  
18                   the same premises as the agricultural activities to  
19                   which they are accessory, including farm dwellings as  
20                   defined in section 205-4.5(a)(4), employee housing,  
21                   farm buildings, mills, storage facilities, processing  
22                   facilities, photovoltaic, biogas, and other small-



1 scale renewable energy systems producing energy solely  
2 for use in the agricultural activities of the fee or  
3 leasehold owner of the property, agricultural-energy  
4 facilities as defined in section 205-4.5(a)(17),  
5 vehicle and equipment storage areas, and plantation  
6 community subdivisions as defined in section  
7 205-4.5(a)(12);

8 (8) Wind machines and wind farms;

9 (9) Small-scale meteorological, air quality, noise, and  
10 other scientific and environmental data collection and  
11 monitoring facilities occupying less than one-half  
12 acre of land; provided that these facilities shall not  
13 be used as or equipped for use as living quarters or  
14 dwellings;

15 (10) Agricultural parks;

16 (11) Agricultural tourism conducted on a working farm, or a  
17 farming operation as defined in section 165-2, for the  
18 enjoyment, education, or involvement of visitors;  
19 provided that the agricultural tourism activity is  
20 accessory and secondary to the principal agricultural  
21 use and does not interfere with surrounding farm  
22 operations; and provided further that this paragraph



1 shall apply only to a county that has adopted  
2 ordinances regulating agricultural tourism under  
3 section 205-5;

4 (12) Agricultural tourism activities, including overnight  
5 accommodations of twenty-one days or less, for any one  
6 stay within a county; provided that this paragraph  
7 shall apply only to a county that includes at least  
8 three islands and has adopted ordinances regulating  
9 agricultural tourism activities pursuant to section  
10 205-5; provided further that the agricultural tourism  
11 activities coexist with a bona fide agricultural  
12 activity. For the purposes of this paragraph, "bona  
13 fide agricultural activity" means a farming operation  
14 as defined in section 165-2;

15 (13) Open area recreational facilities;

16 [+] (14) [+] Geothermal resources exploration and geothermal  
17 resources development, as defined under section 182-1;  
18 [and] provided that a geothermal resource permit may  
19 be required for geothermal resource development  
20 activities in accordance with section 205-A; and

21 [+] (15) [+] Agricultural-based commercial operations, including:



1 (A) A roadside stand that is not an enclosed  
2 structure, owned and operated by a producer for  
3 the display and sale of agricultural products  
4 grown in Hawaii and value-added products that  
5 were produced using agricultural products grown  
6 in Hawaii;

7 (B) Retail activities in an enclosed structure owned  
8 and operated by a producer for the display and  
9 sale of agricultural products grown in Hawaii,  
10 value-added products that were produced using  
11 agricultural products grown in Hawaii, logo items  
12 related to the producer's agricultural  
13 operations, and other food items; and

14 (C) A retail food establishment owned and operated by  
15 a producer and permitted under [†]title 11, [†]  
16 chapter 12 of the rules of the department of  
17 health that prepares and serves food at retail  
18 using products grown in Hawaii and value-added  
19 products that were produced using agricultural  
20 products grown in Hawaii.

21 The owner of an agricultural-based commercial  
22 operation shall certify, upon request of an officer or





1 agent charged with enforcement of this chapter under  
2 section 205-12, that the agricultural products  
3 displayed or sold by the operation meet the  
4 requirements of this paragraph.

5 Agricultural districts shall not include golf courses and golf  
6 driving ranges, except as provided in section 205-4.5(d).

7 Agricultural districts include areas that are not used for, or  
8 that are not suited to, agricultural and ancillary activities by  
9 reason of topography, soils, and other related characteristics."

10 SECTION 5. Section 205-4.5, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12 "(a) Within the agricultural district, all lands with soil  
13 classified by the land study bureau's detailed land  
14 classification as overall (master) productivity rating class A  
15 or B shall be restricted to the following permitted uses:

16 (1) Cultivation of crops, including crops for bioenergy,  
17 flowers, vegetables, foliage, fruits, forage, and  
18 timber;

19 (2) Game and fish propagation;

20 (3) Raising of livestock, including poultry, bees, fish,  
21 or other animal or aquatic life that are propagated  
22 for economic or personal use;



- 1           (4) Farm dwellings, employee housing, farm buildings, or  
2           activities or uses related to farming and animal  
3           husbandry. "Farm dwelling", as used in this  
4           paragraph, means a single-family dwelling located on  
5           and used in connection with a farm, including clusters  
6           of single-family farm dwellings permitted within  
7           agricultural parks developed by the State, or where  
8           agricultural activity provides income to the family  
9           occupying the dwelling;
- 10          (5) Public institutions and buildings that are necessary  
11          for agricultural practices;
- 12          (6) Public and private open area types of recreational  
13          uses, including day camps, picnic grounds, parks, and  
14          riding stables, but not including dragstrips,  
15          airports, drive-in theaters, golf courses, golf  
16          driving ranges, country clubs, and overnight camps;
- 17          (7) Public, private, and quasi-public utility lines and  
18          roadways, transformer stations, communications  
19          equipment buildings, solid waste transfer stations,  
20          major water storage tanks, and appurtenant small  
21          buildings such as booster pumping stations, but not  
22          including offices or yards for equipment, material,



- 1 vehicle storage, repair or maintenance, treatment  
2 plants, corporation yards, or other similar  
3 structures;
- 4 (8) Retention, restoration, rehabilitation, or improvement  
5 of buildings or sites of historic or scenic interest;
- 6 (9) Agricultural-based commercial operations as described  
7 in section [†]205-2(d)(15)[†];
- 8 (10) Buildings and uses, including mills, storage, and  
9 processing facilities, maintenance facilities,  
10 photovoltaic, biogas, and other small-scale renewable  
11 energy systems producing energy solely for use in the  
12 agricultural activities of the fee or leasehold owner  
13 of the property, and vehicle and equipment storage  
14 areas that are normally considered directly accessory  
15 to the above-mentioned uses and are permitted under  
16 section 205-2(d);
- 17 (11) Agricultural parks;
- 18 (12) Plantation community subdivisions, which as used in  
19 this chapter means an established subdivision or  
20 cluster of employee housing, community buildings, and  
21 agricultural support buildings on land currently or  
22 formerly owned, leased, or operated by a sugar or



1 pineapple plantation; provided that the existing  
2 structures may be used or rehabilitated for use, and  
3 new employee housing and agricultural support  
4 buildings may be allowed on land within the  
5 subdivision as follows:

6 (A) The employee housing is occupied by employees or  
7 former employees of the plantation who have a  
8 property interest in the land;

9 (B) The employee housing units not owned by their  
10 occupants shall be rented or leased at affordable  
11 rates for agricultural workers; or

12 (C) The agricultural support buildings shall be  
13 rented or leased to agricultural business  
14 operators or agricultural support services;

15 (13) Agricultural tourism conducted on a working farm, or a  
16 farming operation as defined in section 165-2, for the  
17 enjoyment, education, or involvement of visitors;  
18 provided that the agricultural tourism activity is  
19 accessory and secondary to the principal agricultural  
20 use and does not interfere with surrounding farm  
21 operations; and provided further that this paragraph  
22 shall apply only to a county that has adopted



1           ordinances regulating agricultural tourism under  
2           section 205-5;

3           (14) Agricultural tourism activities, including overnight  
4           accommodations of twenty-one days or less, for any one  
5           stay within a county; provided that this paragraph  
6           shall apply only to a county that includes at least  
7           three islands and has adopted ordinances regulating  
8           agricultural tourism activities pursuant to section  
9           205-5; provided further that the agricultural tourism  
10          activities coexist with a bona fide agricultural  
11          activity. For the purposes of this paragraph, "bona  
12          fide agricultural activity" means a farming operation  
13          as defined in section 165-2;

14          (15) Wind energy facilities, including the appurtenances  
15          associated with the production and transmission of  
16          wind generated energy; provided that the wind energy  
17          facilities and appurtenances are compatible with  
18          agriculture uses and cause minimal adverse impact on  
19          agricultural land;

20          (16) Biofuel processing facilities, including the  
21          appurtenances associated with the production and  
22          refining of biofuels that is normally considered



1 directly accessory and secondary to the growing of the  
2 energy feedstock; provided that biofuels processing  
3 facilities and appurtenances do not adversely impact  
4 agricultural land and other agricultural uses in the  
5 vicinity.

6 For the purposes of this paragraph:

7 "Appurtenances" means operational infrastructure  
8 of the appropriate type and scale for economic  
9 commercial storage and distribution, and other similar  
10 handling of feedstock, fuels, and other products of  
11 biofuel processing facilities.

12 "Biofuel processing facility" means a facility  
13 that produces liquid or gaseous fuels from organic  
14 sources such as biomass crops, agricultural residues,  
15 and oil crops, including palm, canola, soybean, and  
16 waste cooking oils; grease; food wastes; and animal  
17 residues and wastes that can be used to generate  
18 energy;

19 (17) Agricultural-energy facilities, including  
20 appurtenances necessary for an agricultural-energy  
21 enterprise; provided that the primary activity of the  
22 agricultural-energy enterprise is agricultural



1 activity. To be considered the primary activity of an  
2 agricultural-energy enterprise, the total acreage  
3 devoted to agricultural activity shall be not less  
4 than ninety per cent of the total acreage of the  
5 agricultural-energy enterprise. The agricultural-  
6 energy facility shall be limited to lands owned,  
7 leased, licensed, or operated by the entity conducting  
8 the agricultural activity.

9 As used in this paragraph:

10 "Agricultural activity" means any activity  
11 described in paragraphs (1) to (3) of this subsection.

12 "Agricultural-energy enterprise" means an  
13 enterprise that integrally incorporates an  
14 agricultural activity with an agricultural-energy  
15 facility.

16 "Agricultural-energy facility" means a facility  
17 that generates, stores, or distributes renewable  
18 energy as defined in section 269-91 or renewable fuel  
19 including electrical or thermal energy or liquid or  
20 gaseous fuels from products of agricultural activities  
21 from agricultural lands located in the State.



1           "Appurtenances" means operational infrastructure  
2 of the appropriate type and scale for the economic  
3 commercial generation, storage, distribution, and  
4 other similar handling of energy, including equipment,  
5 feedstock, fuels, and other products of agricultural-  
6 energy facilities;

7       (18) Construction and operation of wireless communication  
8 antennas; provided that, for the purposes of this  
9 paragraph, "wireless communication antenna" means  
10 communications equipment that is either freestanding  
11 or placed upon or attached to an already existing  
12 structure and that transmits and receives  
13 electromagnetic radio signals used in the provision of  
14 all types of wireless communications services;  
15 provided further that nothing in this paragraph shall  
16 be construed to permit the construction of any new  
17 structure that is not deemed a permitted use under  
18 this subsection;

19       (19) Agricultural education programs conducted on a farming  
20 operation as defined in section 165-2, for the  
21 education and participation of the general public;  
22 provided that the agricultural education programs are





1           accessory and secondary to the principal agricultural  
2           use of the parcels or lots on which the agricultural  
3           education programs are to occur and do not interfere  
4           with surrounding farm operations. For the purposes of  
5           this section, "agricultural education programs" means  
6           activities or events designed to promote knowledge and  
7           understanding of agricultural activities and practices  
8           conducted on a farming operation as defined in section  
9           165-2;

10       (20) Solar energy facilities that do not occupy more than  
11       ten per cent of the acreage of the parcel, or twenty  
12       acres of land, whichever is lesser; provided that this  
13       use shall not be permitted on lands with soil  
14       classified by the land study bureau's detailed land  
15       classification as overall (master) productivity rating  
16       class A; or

17       [+] (21) [+] Geothermal resources exploration and geothermal  
18       resources development, as defined under section  
19       182-1[-]; provided that a geothermal resource permit  
20       may be required for geothermal resource development  
21       activities in accordance with section 205-A."



1 SECTION 6. Section 205-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) Unless authorized by special permit issued pursuant  
4 to this chapter, only the following uses shall be permitted  
5 within rural districts:

6 (1) Low density residential uses;

7 (2) Agricultural uses;

8 (3) Golf courses, golf driving ranges, and golf-related  
9 facilities;

10 (4) Public, quasi-public, and public utility facilities;  
11 and

12 (5) Geothermal resources exploration and geothermal  
13 resources development, as defined under section 182-  
14 1[-]; provided that a geothermal resource permit may  
15 be required for geothermal resource development  
16 activities in accordance with section 205-A.

17 In addition, the minimum lot size for any low density  
18 residential use shall be one-half acre and there shall be but  
19 one dwelling house per one-half acre, except as provided for in  
20 section 205-2."



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PART IV

SECTION 7. In codifying and referencing the new section added by section 3 of this Act, the revisor of statutes shall substitute an appropriate section number for the letter used in designating the new section in this Act.

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 9. This Act shall take effect upon its approval.

INTRODUCED BY: *J. M. ...*

JAN 18 2013

# H.B. NO. 380

**Report Title:**

County of Hawaii Package; Geothermal Resources; Exploration;  
Development

**Description:**

Authorizes BLNR to issue exploration permits for geothermal resources and minerals on reserved lands. Authorizes BLNR to issue conservation district geothermal resource development permits. Authorizes counties to issue agricultural, rural, and urban district geothermal resource development permits.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

