

Honolulu, Hawaii

February 8, 2013

RE: H.B. No. 106

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 106 entitled:

"A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to amend the law regarding geothermal resources by, among other things:

- (1) Repealing Act 97, Session Laws of Hawaii 2012, thereby:
 - (A) Allowing the counties to issue geothermal resource permits;
 - (B) Allowing the State and counties to designate geothermal resource subzones and exploratory wells; and
 - (C) Eliminating definitions distinguishing "geothermal resources exploration" and "geothermal resources development" for mining leases, resource exploration on state lands, and land classification and usage pursuant to chapters 182 and 205, Hawaii Revised Statutes (HRS);
- (2) Creating procedures, including application, public-hearing, and mediation processes, for the assessment and



designation of geothermal resource subzones and exploratory wells; and

- (3) Allowing, subject to applicable public-hearing and permitting processes, geothermal resource development and exploration as permissible land uses in all state land use districts established under section 205-2, HRS.

Life of the Land, UNITE HERE Local 5, and numerous individuals testified in support of this measure. The Department of Business, Economic Development, and Tourism, the Department of Land and Natural Resources, Enterprise Honolulu, and an individual testified in opposition of this measure. The Judiciary, the Maui County Department of Planning, Big Island Community Coalition, Indigenous Consultants, LLC, and two individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 106, H.D. 1, and be referred to the Committee on Water & Land.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



CHRIS LEE, Chair



