

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the House Committee on  
FINANCE**

**Monday, February 25, 2013  
1:30 P.M.  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 106, HOUSE DRAFT 2  
RELATING TO GEOTHERMAL RESOURCES**

House Bill 106, House Draft 2 proposes to establish a permitting process for geothermal resources development within agricultural, rural, and urban districts, and establishes application requirements for geothermal resources development within conservation districts. **The Department of Land and Natural Resources (Department) supports this measure in its current form and offers the following comments:**

This measure provides the regulatory framework that restores home rule authority and considers the input of the local communities to address environmental, socio-economic, and cultural impacts of a geothermal resources development project on a project/site specific basis. Evaluating these impacts at the project level is the most practicable and effective approach, which minimizes risks and costs for both geothermal developers and the State. Creating a clear permitting process for developers will assist the State in meeting our clean energy goals, which will ultimately create jobs, generate revenue, and reduce our dependence on fossil fuels.

One of the criteria for a geothermal resources development permit application specified in Section 205-A(a)(4), Hawaii Revised Statutes, of this measure, is the establishment of an "...appropriate, industry recognized buffer zone between the proposed geothermal resources development and abutting land." The Department is unaware of such "industry recognized" buffer zones. However, we recognize that existing rules and/or ordinances may specify "setback" requirements, and noise and emission levels are regulated by the Department of Health. As such, the Department suggests either defining or removing reference to the term "buffer zone" to avoid conflict or duplication of regulations as the intent of this provision may already be covered under a separate authority.

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

**NEIL ABERCROMBIE**  
GOVERNOR

**RICHARD C. LIM**  
DIRECTOR

**MARY ALICE EVANS**  
DEPUTY DIRECTOR

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Statement of  
**RICHARD C. LIM**  
**Director**

Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON FINANCE**

Monday, February 25, 2013  
1:30 P.M.  
State Capitol, Conference Room 308

in consideration of  
**HB 106, HD 2**  
**RELATING TO GEOTHERMAL RESOURCES.**

Chair Luke, Vice Chairs Nishimoto and Johanson, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) supports, with amendments, HB 106, HD 2, which amends Act 97 by reauthorizing County Geothermal Resource Permits (GRPs) and requiring State and County agencies to assess additional factors in the geothermal resource development permitting and siting processes.

We respectfully offer the following comments:

- The elimination of statutory County authority to issue GRPs was an inadvertent consequence of Act 97. DBEDT commends the House for restoring home rule by reauthorizing the Counties' Geothermal Resource Permit authority.
- DBEDT sees no negative financial impact to the State of Hawaii attributable to the reauthorization of the Counties' GRP processes or to the assessment of the additional factors for geothermal resource development permitting and siting

processes. Indeed, we anticipate that having the GRPs in place, which stipulate a clear timeline for county-level permitting, will encourage geothermal developers and possibly result in additional income to the State from payroll taxes, royalties, and increased economic activity.

- Regarding section §205-A(a)(4), we recommend the deletion of the following language: “including the establishment of an appropriate, industry recognized buffer zone between the proposed geothermal resources development and abutting land.” To our knowledge, no such buffer zones for geothermal exist in any U.S. jurisdiction or in other countries. We believe that existing statutes and regulations address the concerns of neighboring landowners and that buffer zones are ill-advised. We note that the Hawaii County Council had considered creating a one-mile buffer zone around the Puna Geothermal Venture plant; this proposal stimulated strenuous objections from neighboring landowners, including residential landowners as well as agricultural and visitor-oriented businesses located near the plant whose enterprises would have been negatively affected.

Thank you for the opportunity to offer these comments.

FIN 308 Feb 25, 2013 1:30 PM

RE: HB106

Position: Support

Representing Puna Pono Alliance

Aloha Chairwoman, Sylvia Luke, Vice Chair Scott Y. Nishimoto, Vice Chair Aaron Ling Johanson, and committee members.

Puna Pono Alliance supports HB106, it restores county permitting, over site authority, and allows impacted communities to have a chance to have input in the permitting process.

Please support HB106.

Thank you for your consideration.

Robert Petricci

President Puna Pono Alliance

JPMorgan Buys Stake in Eight Geothermal Power Plants From Ormat

<http://www.bloomberg.com/news/2013-01-28/jpmorgan-buys-stake-in-eight-geothermal-power-plants-from-oramat.html>

"JPMorgan Chase & Co. (JPM) paid about \$35.7 million for an interest in eight Ormat Technologies Inc.

(ORA) geothermal power plants in California and Nevada."

Forbes: Sleeping Geothermal Giant Stirs

<http://www.forbes.com/sites/pikeresearch/2013/02/20/sleeping-geothermal-giant-stirs/>

"Although EGS is truly the wild west of energy speculation, its outsized long-term potential is what has investors like Google most excited about companies like AltaRock."

Fracking our Farms: A Tale of Five Farming Families

[http://www.organicconsumers.org/articles/article\\_27073.cfm](http://www.organicconsumers.org/articles/article_27073.cfm)

Author's note: On Sunday, Feb. 17, I marched with the OCA at the Forward on Climate rally in Washington, D.C. At one point, our banner, "Cook Organic Not the Planet," caught the eye of a dairy farmer. He approached. I handed him a flyer and launched into my pitch about how organic agriculture has the power to bring dangerous carbon dioxide levels back down to the safe level of 350 parts-per-million. He nodded politely, then stopped me short with this "If they frack all the farms, there isn't going to be any organic." Back home, I sat down at my computer to research farms and fracking. I learned that there's a growing movement of farmers around the country who are fighting fracking. And I found some stories that should give all of us pause.

Their names are Carol, Steve & Jackie, Susan, Marilyn & Robert, and Christine. They share a bond. Two bonds, actually: They all own, or owned, farms. And those farms, along with their own health and the health of their farm animals, have all been ruined by fracking.

More than 600,000 fracking wells and waste injection sites have popped up across the country, according to ProPublica. The oil and gas industry, along with federal regulators, would have you believe that injecting trillions of gallons of toxic liquid deep into the earth is harmless.

But tell that to Jacki Schilke of North Dakota, who lost two dogs, five cows, chickens – and her health –

after 32 oil and gas wells sprouted up within three miles of her ranch. Or Christine Moore, a horse rescuer in Ohio, who sold her farm after a well went up five miles from her farm, creating an oily film on her water and making her too sick to care for her horses.

With hundreds of thousands of fracking wells and waste injection sites in the U.S., it's likely that our food supply already contains water, plants and animals (meat) contaminated with fracking chemicals. While we hear a lot about drinking water contamination, including people's water catching on fire straight out of the faucet, that shouldn't be our only concern. Contaminated crops and farm animals raised for food are also possible avenues for exposing humans to fracking chemicals.

Of course, not all farm animals are destined for the food chain. Those unfortunate enough to live near fracking wells can tell us a lot about the potential danger from fracking chemicals to our own health. Farm animals have the same susceptibility to disease that we have, but because they are exposed continually to air, soil and groundwater, and have more frequent reproductive cycles, they exhibit diseases more quickly, presaging human health problems. A study involving interviews with animal owners who live near gas drilling operations revealed frequent deaths. Animals that survived exhibited health problems including infertility, birth defects and worsening reproductive health in successive breeding seasons. Some animals developed unusual neurological conditions, anorexia, and liver or kidney disease.

What causes those health problems? Among the hundreds of toxic chemicals used in fracking are arsenic, benzene, ethylene glycol (antifreeze), formaldehyde, lead, toluene, Uranium-238, and Radium-226. The American Academy of Pediatrics' list of common health problems from exposure to fracking chemicals includes autism, asthma, cancer, heart disease, kidney failure, infertility, birth defects, allergies, endocrine diseases and immune system disorders.

#### Farmers fighting back

Thankfully, many farmers are fighting back. Here are the tales of five farmers on the front lines of the fracking fight who are heroically sharing their tragic stories with the world in an attempt to expose the lie that natural gas is "cleaner power."

Carol French, dairy farmer and cofounder of Pennsylvania Landowners Group for Awareness and Solutions (PLGAS). Carol's Bradford County farm is surrounded by nine gas wells. Earlier this month, Carol posted to the Fracking Hell Facebook group that she had just lost three calves in nine days. "I have

heard from other farmers with 'changed' water having similar problems," she wrote. At the September 2012, Shale Gas Outrage protest in Philadelphia, Carol told the crowd how, two weeks after their water changed, her daughter developed a fever and diarrhea that turned to blood. She lost ten pounds in seven days. Watch Carol's speech.

Steve and Jacki Schilke North Dakota ranchers. There are 32 oil and gas wells within three miles of Steve and Jacki's 160-acre ranch. Jacki blames the wells for the loss of two dogs, five cows and a number of chickens, as well as the decline of her own health. Her symptoms began a few days after the wells were fracked, when a burning feeling in her lungs sent her to the emergency room. After that, whenever she went outside she became lightheaded, dizzy and had trouble breathing. At times, the otherwise fit 53-year-old, can't walk without a cane, drive or breathe easily. She warns landowners against making deals with frackers: "They're here to rape this land, make as much money as they can and get the hell out of here. They could give a crap less what they are doing here. They will come on your property look you straight in the eye and lie to you." Watch Jacki talk about her experience.

Susan Wallace-Babb, Colorado rancher. One day in 2005, Susan Wallace-Babb went out into a neighbor's field near her ranch in Western Colorado to close an irrigation ditch. She stepped out of her truck, took a deep breath and collapsed, unconscious. Later, after Susan came to and sought answers, a sheriff's deputy told her that a tank full of natural gas condensate less than a half mile away had overflowed into another tank. The fumes must have drifted toward the field where she was working, the deputy said. The next morning Susan was so sick she could barely move. She vomited uncontrollably and suffered explosive diarrhea. A searing pain shot up her thigh. Within days she developed burning rashes that covered her exposed skin, then lesions. Anytime she went outdoors her symptoms worsened. In 2006, she moved to Winnsboro, Texas, a small town two hours east of Dallas. In 2007, Susan testified in Congressional hearings on the health impacts of fracking. For three years her symptoms gradually improved, until she could work in her garden and go about her normal daily routine. Then, in early 2010, Exxon launched a project in an old oil field 14 miles away and began fracking wells to get them to produce more oil. Within months, Susan's symptoms returned. Watch Susan's testimony at the Congressional hearings.

Marilyn and Robert Hunt, West Virginia organic farmers. The Hunts own a 70-acre organic farm in Wetzel County, where they raise goats, chickens and cattle. When the landman from Chesapeake Energy approached the Hunts to lease their mineral rights, Marilyn did some research then turned down the offer. But that didn't stop Chesapeake from, as she told ShaleReporter.com, "stealing gas from both sides of our property." In 2010, Chesapeake received a permit for land disposal near her property and dumped waste on her land. "The water got little white flecks in it, and we started to get sick," Marilyn said. "We lost a whole lot of baby goats that got gastrointestinal disorders from drinking the water." Some of the baby chicks her daughter was raising died of nervous system failure, and the ones that

survived were deformed. Interestingly, though, the cattle that drink from the spring water on the highest point of her property were spared any adverse impact, leading Marilyn to believe it was the water contaminated by the fracking waste that caused the illnesses.

Christine Moore, Ohio horse rescuer. Christine Moore and her family lived a dream life rescuing horses deep inside Ohio's Amish country. When a well was fracked five miles from her house in January 2012, Christine went door to door, begging her neighbors not to lease their land for fracking. But most of the town, many Amish and Mennonite, didn't listen. Two months after the well near her home was fracked, the water went bad. An oily film formed across the surface of the water in her horses' bowls. The water inside her home, pumped from her well and filtered through a softener, began giving her severe stomachaches. She sent her horses to a no-kill shelter in upstate Ohio and, in July, sold the property to her neighbor who, according to Tuscarawas County records, has oil and gas exploration leases on multiple properties. Watch Christine describe how fracking destroyed her horse farm.

Stop the Frack Attack!

Want to join with farmers fighting fracking? Join the OCA on Mar. 2 – 4 in Dallas, Texas, for the National Summit to Stop the Frack Attack!

The summit is expected to draw hundreds of people who will share stories and learn how to become better spokespeople, learn about clean energy alternatives, celebrate fracking victories, and strengthen this national movement. There will also be a rally in Austin on Mar. 4 to welcome the Texas state government back to work. And to remind them they work for the people, not the oil and gas industry.

If you can't make it to the summit or rally, please consider donating to a scholarship fund so others can attend.

Alexis Baden-Mayer is political director of the Organic Consumers Association.







**House Committee on Finance  
Monday, February 24, 2013, 1:30 pm  
Conference Room 308 State Capitol 415 South Beretania Street  
Hearing on HB 106, HD2 (HSCR514)**

Aloha Chair Luke and Members of the Finance Committee:

On behalf of Puna Geothermal Venture (PGV), and its parent company Ormat, we would like to thank you for allowing us to provide written testimony regarding HB 106.

The purpose of HB 106 is to repeal Act 97, which essentially removed existing County land use oversight through the Geothermal Resource Permit process. This eliminated the “Home Rule” aspect from the County, as well as existing geothermal development subzones and the requirement to establish those subzones.

PGV’s comments are as follows:

- We support the reestablishment of the “Home Rule” to the County regarding land use oversight using the Geothermal Resource Permit process.

We appreciate the continued support from our State legislators and want to express our gratitude for the opportunity to provide the aforementioned testimony. Mahalo a nui loa.

Respectfully,

Michael L. Kaleikini  
Senior Director for Hawaiian Affairs  
Puna Geothermal Venture - Ormat

**HARRY KIM**  
471 HO'OKINA PLACE  
HILO, HAWAII 96720

**Testimony to the HOUSE COMMITTEE ON FINANCE**

**Rep. Sylvia Luke, Chair**

**Rep. Scott Y. Nishimoto, Vice Chair**

**Rep. Aaron Ling Johanson, Vice Chair**

**Monday, February 25, 2013 at 1:30 p.m.**

**State Capitol, Conference Room 308**

**In Consideration of HB106 HD2  
RELATING TO GEOTHERMAL RESOURCES**

**Position: Strong Support**

I ask for your support for HB106 HD2. Please pass it out of your committee so it can be considered in the Senate.

HB 106 is a bill that is important to all of the state of Hawaii. As originally written and supported, it would have repealed in entirety Act 97 passed by the 2012 legislature. Act 97 eliminated geothermal subzones, which had been authorized in 1983, and removed all County authority over geothermal exploration and development. Without subzones or any County permitting requirements, geothermal development could occur anywhere in the state, whether appropriate or not if you look at land use classification or actual surrounding uses.

While geothermal energy may prove to be a part of Hawaii's energy future, because of potential negative impact on people and our fragile environment, it must be done right, with sensitivity to health, environmental, social, and cultural concerns. By repealing Act 97, HB106 could have been a step toward restoring balance between development for energy needs and respect for people's lifestyle, the environment, health, cultural concerns, and home rule for the counties.

HB106 HD2 replaced the original text of this bill with a permitting process that gives decision-making power on geothermal to the counties but does not restore the geothermal subzones. I still believe that the subzones were an important concept and should be restored, but HD2 that is before you now is a good start at addressing the concerns of many people. I ask that you please support HB106 HD2 so that it moves to the Senate where we can work to address our remaining concerns.

Much Aloha,

Harry Kim

Elaine Dunbar  
POB 861  
Lihue, Hi 96766  
inunyabus@gmail.com

Hello Committee Chair and Members,

I submit testimony in STRONG OPPOSITION to HB106, HD2.

My first concerns are: there is there is no mention of SUBZONES and there is no mention of REPEALING ACT 97.

The language in HD2 provides for mediation of the aggrieved party. It does not state a definition of aggrieved party so it can be assumed it would be someone living close to the proposed project. This is DEFICIENT. There is no provision to designate aggrieved party as Kanaka Maoli, Native Hawaiian or any concerned citizen since this type of activity has the potential to impact the entire island/island chain.

Mediation in and of itself is inadequate and designed as a built-in approval. RECOURSE TO DENY should be in here but it is not.

Geothermal causes earthquakes.

Does that concern anyone?

Does the possibility of a wild-well that would cause eruptions that never stop concern anyone?

With all due respect, I do not think man has the right to be making these calls. If so-called experts are advising that this is safe, they are lying.

Do you yourself have the expertise required to make such a critical decision and do you accept the justification that "other states are doing it" as valid reasoning? Other states are not Hawaii and the other states that ARE doing it are paying the price due to impacts.

Do you have to rely on assurances from so-called experts that are only concerned about profits and how they can exploit these islands dry to know which way to vote?

Once the applicants are granted FRACKING permits, will you be giving away Hawaii's mineral rights to them as well?

Please do not insert Geothermal/Fracking as a permissible agricultural use.

Why bother having a Permissible Agricultural Use section in the HRS at all, if they are not permissible agricultural uses?

The 2011 & 2012 Legislature really subverted the Permissible Agricultural Use clause and it is getting out of control.

Let's put this in perspective; if golf courses still remain as non-permissible agricultural uses, why should geothermal/fracking be classified as permissible?

Geothermal/Fracking is not a permissible agricultural use. Period.

Mahalo for hearing me out and please hold this bill.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 9:44 PM  
**To:** FINTestimony  
**Cc:** toolohana@hawaiiantel.net  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Laurence Tool	Individual	Support	No

Comments: Aloha Distinguished Finance Committee Members, As in my previous testimony on this measure, I enthusiastically support the repeal of Act 97 and the restoration of permitting and public review for geothermal exploration. I applaud the added amendments, which increase oversight and accountability. I hope the measure can be passed with them included. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 10:14 AM  
**To:** FINTestimony  
**Cc:** akamaimom@gmail.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Felicia Cowden	Individual	Support	No

Comments: I support this geo-thermal notification bill because it is important to have "just" government, which allows the citizens of a community to have direct say in the use of their lands.

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 11:29 AM  
**To:** FINTestimony  
**Cc:** bill@puna.us  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bill Smith	Individual	Support	No

Comments: Please support HB106 and recommend that it be passed. Thank you.

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 7:01 PM  
**To:** FINTestimony  
**Cc:** fredkoto1@yahoo.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
frederic kotowitz	Individual	Support	No

Comments: FIN 308 Feb 25, 2013 1:30 PM RE: HB106 Position: Support Aloha Chairwoman, Sylvia Luke, Vice Chair, Scott Y. Nishimoto, Vice Chair, Aaron Ling Johanson, and committee members. I support HB106, as it restores county permitting, over site authority, and allows impacted communities to have a chance to have input in the permitting process. Please support HB106. Thank you for your consideration. Frederic Kotowitz

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 10:00 PM  
**To:** FINTestimony  
**Cc:** OccupyHiloMedia@yahoo.com  
**Subject:** \*Submitted testimony for HB106 on Feb 25, 2013 13:30PM\*

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kerri Marks	Individual	Support	No

#### Comments:

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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 7:38 PM  
**To:** FINTestimony  
**Cc:** Luanajones777@hotmail.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Luana Jones	Individual	Oppose	No

Comments: The current Geothermal development re-injection is polluting enough of the 'aina. One is enough. No more polluting industry please!!!

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 8:56 PM  
**To:** FINTestimony  
**Cc:** paul@punapono.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Kuykendall	Individual	Support	No

Comments: Aloha, I support HB106 and request that you pass this bill so it can move to the Senate. HB106 restores local permitting for geothermal power plants. This is essential if geothermal is to be done where it minimizes impact on local citizens and the Aina. It is a good step towards restoring our trust in our state government. Mahalo

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FIN Feb 25, 2013 1:30 PM

RE: HB106

Position: Support

Aloha Chairwoman, Sylvia Luke, Vice Chair, Scott Y. Nishimoto, Vice Chair, Aaron Ling Johanson, and committee members.

I support HB106 because it restores county permitting, over site authority, and allows impacted communities to have a chance to have input in the permitting process.

Please support HB106.

Thank you for your consideration.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 12:20 PM  
**To:** FINTestimony  
**Cc:** shannonkona@gmail.com  
**Subject:** \*Submitted testimony for HB106 on Feb 25, 2013 13:30PM\*

### **HB106**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Support	No

#### Comments:

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## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 9:08 PM  
**To:** FINTestimony  
**Cc:** suzanne@punapono.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/23/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Wakelin	Individual	Support	No

Comments: Please SUPPORT this bill. We need to have proper safeguards for the community and environment and HB106 is an important step in re-establishing trust in the process. Mahalo

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## **FINTestimony**

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**Sent:** Sunday, February 24, 2013 6:10 AM  
**To:** FINTestimony  
**Cc:** astronona@hotmail.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toby Hazel	Individual	Support	No

Comments: we do believe in a full reaching democracy and public access for our views. Oversight for the entire process.

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## **FINTestimony**

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**From:** Dave Kisor [panther\_dave@yahoo.com]  
**Sent:** Saturday, February 23, 2013 9:51 PM  
**To:** FINTestimony  
**Subject:** In direct support of HB106

Aloha Finance Committee

I belong to Puna Pono and I resent it when business and industry uses government to protect themselves from us, the evil consumers, as they would rather waltz all over us with golf shoes. Whoever decided that Puna was an easy target based upon its reputation from decades back didn't realize the place was no longer just a bunch of dope smoking hippies living in the jungle. Anyway, we need HB106 to counteract Act97.

Mahalo for your assistance,  
Dave Kisor  
Anchors aweigh!



## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 2:19 PM  
**To:** FINTestimony  
**Cc:** inunyabus@gmail.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elaine D.	Individual	Oppose	No

Comments: HB106, HD2 - STRONG OPPOSITION This language provides for mediation of the aggrieved party. It does not state a definition of aggrieved party so it can be assumed it would be someone living close to the proposed project. This is DEFICIENT. There is no provision to designate aggrieved party as Kanaka Maoli, Native Hawaiian or any concerned citizen since this type of activity has the potential to impact the entire island/island chain. Mediation in and of itself is inadequate and designed as a built-in approval. RECOURSE TO DENY should be in here but it is not. There is no mention of SUBZONES. There is no mention of REPEALING ACT 97. Geothermal causes earthquakes. Does that concern anyone? Does the possibility of a wild-well that would cause eruptions that never stop concern anyone? With all due respect, I do not think man has the right to be making these calls. If so-called experts are advising that this is safe, they are lying. Do you yourself have the expertise required to make such a critical decision and do you accept the justification that "other states are doing it" as valid reasoning? Other states are not Hawaii and the other states that ARE doing it are paying the price due to impacts. Do you have to rely on assurances from so-called experts that are only concerned about profits and how they can exploit these islands dry to know which way to vote? Once the applicants are granted FRACKING permits, will you be giving away Hawaii's mineral rights to them as well? Please do not insert Geothermal/Fracking as a permissible agricultural use. Why bother having a Permissible Agricultural Use section in the HRS at all, if they are not permissible agricultural uses? The 2011 & 2012 Legislature really subverted the Permissible Agricultural Use clause and it is getting out of control. Let's put this in perspective; if golf courses still remain as non-permissible agricultural uses, why should geothermal/fracking be classified as permissible? Geothermal/Fracking is not a permissible agricultural use. Period.

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 2:26 PM  
**To:** FINTestimony  
**Cc:** lkmcelheny@gmail.com  
**Subject:** Submitted testimony for HB106 on Feb 25, 2013 13:30PM

### **HB106**

Submitted on: 2/24/2013

Testimony for FIN on Feb 25, 2013 13:30PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lawrence McElheny	Individual	Support	No

Comments: Aloha I support HB 106. Mahalo Larry McElheny

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