

TESTIMONY

HB932 HD1

Measure Title: RELATING TO MINERAL RESOURCES.

Report Title: Mineral Resources

Description: Promotes renewable energy in Hawaii by: (1) providing that all penalties, fees, and costs established and collected by the Department of Land and Natural Resources pursuant to Chapter 182, Hawaii Revised Statutes, be deposited in the Special Land and Development Fund; (2) including geothermal resources within the definition of a renewable energy producer; and (3) clarifying the permitting procedures for regulators and renewable energy developers considering geothermal development. (HB932 HD1)

Companion: [SB1163](#)

Package: Gov

Current Referral: WTL/ENE, WAM

Introducer(s): SOUKI (Introduced by request of another party)

Sort by Date		Status Text
2/28/2013	S	Received from House (Hse. Com. No. 69).
2/28/2013	S	Passed First Reading.
3/5/2013	S	Referred to WTL/ENE, WAM.
3/14/2013	S	The committee(s) on WTL/ENE has scheduled a public hearing on 03-19-13 2:45PM in conference room 225.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

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

**Before the Senate Committees on
WATER AND LAND
and
ENERGY AND ENVIRONMENT**

**Tuesday, March 19, 2013
2:45 P.M.
State Capitol, Conference Room 225**

**In consideration of
HOUSE BILL 932, HOUSE DRAFT 1
RELATING TO MINERAL RESOURCES**

House Bill 932, House Draft 1 proposes to revise statutory provisions relating to the regulation of mineral resources under Chapters 171 and 182, Hawaii Revised Statutes, to include geothermal within the definition of a "renewable energy producer" and to provide clarity, eliminate ambiguities, and incorporate technical, non-substantive changes in accordance with Act 97, Session Laws of Hawaii (SLH) 2012. **The Department of Land and Natural Resources (Department) strongly supports this Administrative measure.**

Current statutes do not classify geothermal resources as part of the definition of "renewable energy producer". Adding this designation would provide geothermal resources equity to other renewable energy sources such as wind, solar, hydropower, or biomass.

Statutes pertaining to the regulation and management of mineral resources are in need of update to provide clarity, consistency, and to correlate changes in accordance with Act 97, SLH 2012. The identification and elimination of conflicts in statutory language and procedures would reduce barriers and eliminate ambiguities that could pose potential delays to geothermal exploration and development and facilitate the disposition and regulation of the use and management of mineral resources. Such clarification and update will assist the Department in working toward meeting goals of the Hawaii Clean Energy Initiative and the Administration's New Day Plan regarding renewable energy development.



**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
SENATE COMMITTEE ON WATER AND LAND
AND
SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 19, 2013
2:45 p.m.
State Capitol, Conference Room 225

in consideration of
HB 932, HD 1
RELATING TO MINERAL RESOURCES.

Chair Solomon and Chair Gabbard, Vice Chair Shimabukuro and Vice Chair Ruderman,
and Members of the Committees.

The Department of Business, Economic Development, and Tourism (DBEDT) supports
HB 932 HD 1, an Administration bill.

This bill includes geothermal within the definition of a renewable energy producer for
public land leasing purposes. It also eliminates ambiguities, modifies definitions and
incorporates additional technical, non-substantive changes in accordance with Act 97, SLH 2012.
Lastly, it provides additional clarity regarding Department of Land and Natural Resources'
(DLNR) administration of the State's mineral leasing program.

We support this bill because clarity in permitting procedures is essential for both
regulators and potential renewable energy developers. The elimination of conflicts in statutory

language through this bill will remove barriers and thus help the State achieve its renewable energy objectives.

We defer to the Department of Land and Natural Resources regarding the provisions of this measure impacting the administration of the State's mineral leasing program.

Thank you for the opportunity to offer these comments in support of HB 932 HD 1.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: momishells@msn.com
Subject: Submitted testimony for HB932 on Mar 19, 2013 14:45PM
Date: Sunday, March 17, 2013 10:26:17 PM

HB932

Submitted on: 3/17/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Subiono	Individual	Oppose	No

Comments: I oppose all fee schemes for DLNR to make revenues. They are bad stewards.

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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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: bmurphy420@mail.com
Subject: *Submitted testimony for HB932 on Mar 19, 2013 14:45PM*
Date: Monday, March 18, 2013 6:22:14 AM

HB932

Submitted on: 3/18/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
brian Murphy	Individual	Oppose	No

Comments:

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To: [WTLTestimony](#)
Cc: brksilva@gmail.com
Subject: *Submitted testimony for HB932 on Mar 19, 2013 14:45PM*
Date: Sunday, March 17, 2013 10:18:18 PM

HB932

Submitted on: 3/17/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bronson K. Silva	Individual	Oppose	No

Comments:

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HARRY KIM
471 HO'OKINA PLACE
HILO, HAWAII 96720

**Testimony to the SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
And SENATE COMMITTEE ON WATER AND LAND
Sen. Mike Gabbard, Chair, Energy and Environment
Sen. Malama Solomon, Chair, Water and Land**

**Tuesday, March 19, 2013 at 2:45 p.m.
State Capitol, Conference Room 225**

**In Consideration of HB932 HD1
RELATING TO MINERAL RESOURCES**

Position: Oppose

It seems that HB 932 adds to the measures that take away community involvement procedures, transparency concerns, protective measures for precious lands and community, and regulations to identify and address the unique hazards of geothermal exploration and development.

It is hoped that officials of this state would respond to citizens' concerns for better measures for the protection of the environment and the furtherance of community involvement. This bill does not. HB 932 is not supported.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: jemray@hawaii.rr.com
Subject: Submitted testimony for HB932 on Mar 19, 2013 14:45PM
Date: Sunday, March 17, 2013 9:08:17 PM

HB932

Submitted on: 3/17/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Murray	Individual	Oppose	No

Comments: OPPOSE HB932 Mahalo

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Cc: OccupyHiloMedia@yahoo.com
Subject: *Submitted testimony for HB932 on Mar 19, 2013 14:45PM*
Date: Sunday, March 17, 2013 9:36:49 PM

HB932

Submitted on: 3/17/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Oppose	No

Comments:

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Cc: Lesliewingate7@gmail.com
Subject: Submitted testimony for HB932 on Mar 19, 2013 14:45PM
Date: Monday, March 18, 2013 9:41:44 AM

HB932

Submitted on: 3/18/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Wingate	Individual	Oppose	No

Comments: No geothermal in Hawaii, its dangerous!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for HB932 on Mar 19, 2013 14:45PM
Date: Sunday, March 17, 2013 11:50:44 PM

HB932

Submitted on: 3/17/2013

Testimony for WTL/ENE on Mar 19, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Oppose	No

Comments: ...Into "Special Land and Development Fund" is a red flag for me considering the years past of misuse of "special funds". Problem #2, geothermal funds.. I hope you're aware that the geothermal plant had yet another well blow out this past Friday, spreading SO2 in a wide swath of Puna neighborhoods. Re:Geo assets, file under: Don't count your chickens before they hatch.

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