

Honolulu, Hawaii
March 21, 2014

RE: S.B. No. 2663
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Water & Land, to which was referred S.B. No. 2663, S.D. 2, entitled:

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

beg leave to report as follows:

The purpose of this measure is to ensure regulation of geothermal resources development in the State through a permitting process that shall be administered by the Board of Land and Natural Resources and the appropriate county authorities.

The Department of Business, Economic Development, and Tourism; Mayor of the County of Hawaii; Sierra Club; Hawaii Island Economic Development Board; Japanese Chamber of Commerce & Industry; Pacific Resource Partnership; Waimanalo Hawaiian Homes Association; Malama Ki Buddha Wisdom Garden; Kalani Oceanside Retreat Village; Malu Aina; Puna Geothermal Venture Hawaii; Indigenous Consultants, LLC; Innovations Development Group; Hawaii Island Chamber of Commerce; Hawaii Leeward Planning Conference; Huena Power; and numerous concerned individuals testified in support of this measure. The Hawaii County District 9 Councilmember; Eco Hostel Hawaii; and numerous concerned individuals testified in opposition to this measure. The Department of Land and Natural Resources; Office of Hawaiian Affairs; the Senator from Senate District 2; Puna Pono Alliance;

SB2663 HD1 HSCR EEP-WAL HMS 2014-2751



Life of the Land; Laakea Community LLC; Pele Lani Farm, LLC; and numerous concerned individuals commented on this measure.

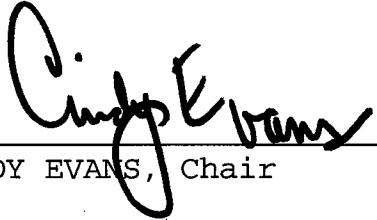
Your Committee has amended this measure by:

- (1) Clarifying the respective regulatory jurisdictions of the Board of Land and Natural Resources and the appropriate county authorities based on land use classification;
- (2) Inserting language to ensure that prospective geothermal resources development will have the least detrimental environmental and social impact by specifying additional requirements for permit applications, criteria for permit approval, requirements for public hearing on applications, and direct judicial appeal to the Intermediate Court of Appeals for all permit dispositions;
- (3) Requiring public hearings in the appropriate county for all permit applications in any land use district and eliminating the mediation requirement to resolve issues raised at hearings;
- (4) Including a new part II that prohibits and establishes penalties for hydraulic fracturing and the collection, storage, treatment, or discharge of wastewater from hydraulic fracturing within the State through July 1, 2025; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2663, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2663, S.D. 2, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committees on Energy &
Environmental Protection and
Water & Land,



CINDY EVANS, Chair



CHRIS LEE, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Hsc 1119-14

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <i>SB 2663, SDA</i>	Committee Referral: <i>EEP/WAL, Fin</i>	Date: <i>3/18/14</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	X			
2. THIELEN, Cynthia (VC)	X			
3. CULLEN, Ty J.K.	X			
4. EVANS, Cindy	X			
5. HANOHANO, Faye P.	X			
6. KAWAKAMI, Derek S.K.	X			
7. SAY, Calvin K.Y.	X			
8. NISHIMOTO, Scott Y.				X
9. LOWEN, Nicole E.	X			
10. FALE, Richard Lee		X		
TOTAL (10)	<i>8</i>	<i>1</i>		<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Cynthia Thielen</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Asce 1114-14

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: <i>SB 2663, SD2</i>	Committee Referral: <i>EEP/Wal, Fin</i>	Date: <i>3/18/14</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. HANOHANO, Faye P.	✓			
5. KAWAKAMI, Derek S.K.	✓			
6. LEE, Chris	✓			
7. SAY, Calvin K.Y.	✓			
8. NISHIMOTO, Scott Y.				✓
9. FALE, Richard Lee		✓		
10. THIELEN, Cynthia	✓			
TOTAL (10)	<i>8</i>	<i>1</i>		<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>Nicole E. Lowen</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				