



|                       |                  |
|-----------------------|------------------|
| <b>SPECIAL PERMIT</b> |                  |
| Petition Received     | MAR 22 1982      |
| Maps                  |                  |
| Action Span           | 3/22/82 - 5/6/82 |
| Action Date           | 4/21/82          |
| Recordation           |                  |

SP80-347 - GEOTHERMAL EXPL. & DEV. CORP. (TIME EXT. REQ.)



# PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI  
Mayor

SIDNEY M. FUKU  
Director

DUANE KANUHA  
Deputy Director

COUNTY OF  
HAWAII

June 28 1983

JUN 28 11 19 AM '83  
STATE OF HAWAII  
LAND USE COMMISSION

Mr. Gordan Furutani  
Executive Officer  
State Land Use Commission  
Old Federal Building, Room 104  
335 Merchant Street  
Honolulu, HI 96813

Dear Mr. Furutani:

As requested, please find enclosed copies of Barnwell and GEDCO's progress reports on drilling activities.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

Sidney Fuku  
Director

BN:lgv

Attachments

CERTIFIED MAIL

SP80 347

January 13, 1983

Mr. E. C. Craddick  
Geothermal Exploration and Development  
Corporation  
2828 Paa Street, Suite 2085  
Honolulu, HI 96819

LAND USE COMMISSION  
STATE OF HAWAII  
JUN 28 11 19 AM '83

Dear Mr. Craddick:

Special Permit No. 460  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-02:10

A review of our files shows that the subject permit was approved by the State Land Use Commission effective February 13, 1981, to allow the drilling of a maximum of nine exploratory deep wells for the purpose of determining the quality and extent of geothermal resources on the subject property.

Further, a request for a time extension to Condition No. 4 of the subject permit was granted effective June 4, 1982. In approving the time extension, Condition No. 4 was amended to read as follows: "That the drilling of the first well shall be completed within one year from the effective date of approval of this time extension." Additional conditions were imposed at this time, two of which stated the following:

- "11. That the petitioner shall submit a status report to the Planning Director on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:
  - a. A detailed description of the work undertaken during the current reporting period including a drilling activity report;
  - b. A description of the work being proposed over the next reporting period;

JAN 14 1983

Mr. E. C. Craddick

Page 2

January 13, 1983

- c. The results of the environmental/noise monitoring activities;
- d. A log of the complaints received and the responses thereto;
- e. The current status of exploration activities in the context of long-range development goals; and
- f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.

If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to."

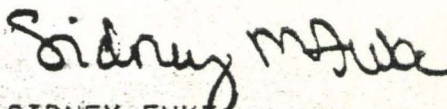
"14. Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void."

Over six months have elapsed since the amendment was approved and we have not received any status report to date. In light of the foregoing, it has been determined that Special Permit No. 460 is void.

Should you have any supporting documentation to alter this determination, please submit same within thirty days of your receipt of this letter.

Should you have any questions regarding this matter, please feel free to contact this office.

Sincerely,



SIDNEY FUKI  
Planning Director

BN:gs

cc: Planning Commission  
State Land Use Commission

# GEOHERMAL EXPLORATION & DEVELOPMENT CORP.

PACIFIC OPERATIONS

January 24, 1983

Mr. Sidney M. Fuke, Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Reference: Daiichi Project - TMK: 1-4-02:10  
Special Permit No. 460  
Approved - February 13, 1981  
Extended - June 4, 1982  
Expires - February 10, 1984  
First Well to be completed by June 4, 1983

Dear Mr. Fuke:

It was our understanding that a status report was to be submitted either bi-annually (twice yearly), or (alternately) 30 days after completion of any exploratory well.

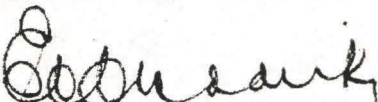
Although site work has began, no well has yet been completed and, therefore, no status report has been submitted as yet.

Meanwhile, because your January 13, 1983 letter infers an expectancy of a report, we are attaching one hereto and shall follow up with additional reports at times requested by you.

We, therefore, respectfully ask your reconsideration of a unintentional delinquency, and a clarification of the ambiguity of the permit condition as interpreted by us.

Very truly yours,

GEOHERMAL EXPLORATION & DEVELOPMENT CORP.

  
E. C. Craddick, President

ECC/sm  
Encl.

|                     |              |                |            |
|---------------------|--------------|----------------|------------|
| cc: Bill Craddick   | - Hilo       | S. Eisenstat   | - New York |
| J. S. Barnwell, Jr. | - Shreveport | Vern Yamanaka  | - Hilo     |
| D. J. Otwell        | - Honolulu   | Clifford Lum   | - Hilo     |
| A. F. Blumenthal    | - New York   | Walt Southward | - Hilo     |
| Joe Clark           | - Honolulu   |                |            |

## STATUS REPORT - DAIICHI PROSPECT

Re: Special Permit No. 460  
Geothermal Exploration & Development Corp.  
TMK: 1-4-02:10  
Approved - February 13, 1981  
Extended - June 4, 1982  
Expires - February 10, 1984  
First Well to be completed by June 4, 1983

### Work Completed

Site preparation on location designated as Daiichi Well No. 1.

### Contemplated Work and Current Status

Work has been suspended due to the necessity of restructuring financial planning.

This will necessitate our application for extension of the Special Use Permit, with a request for more leniency on time so that we have a more realistic period within which to cope with problems which have caused program delay.

It is our hope to begin drilling some time before the end of 1983, and to complete the work within three (3) years. A more realistic approval would be to allow three (3) years to complete all drilling without stipulating when any well should be started or finished, as this places unnecessary restraint without any clear benefit to the County. We feel that we have long ago demonstrated our seriousness of effort and good interest to move as rapidly as we are able to.

### Noise Monitoring and Complaints

Not applicable as there is no activity at the site, however, when drilling begins we will conduct all required monitoring.

February 8, 1983

Mr. E. C. Craddick, President  
Geothermal Exploration and  
Development Corporation  
2828 Paa Street, Suite 2085  
Honolulu, HI 96819

Dear Mr. Craddick:

Special Permit No. 460 /  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-2:10

This is to acknowledge receipt of your letter dated January 24, 1983, regarding the above-described permit and general remarks responding to our letter dated January 13, 1983.

After reviewing the condition requiring the status report, it is conceded that the condition is ambiguous and could be misunderstood. At this time we would like to clarify our intent that the status report should be submitted on a biannual basis or within thirty (30) days of the completion of any exploratory well, whichever occurs sooner. Further at your request, the expected dates of the biannual reports will be specified as January 1st and July 1st of each year.

The status report attached to your letter of January 24, 1983, however, does not provide sufficient information to be deemed adequate. Although all of the applicable items listed in the condition have been discussed, additional detail is requested. More specifically, the following questions need to be addressed:

1. Your status report states that, "Work has been suspended due to the necessity of restructuring financial planning"; and that, "It is our hope to begin drilling some time before the end of 1983, and to complete the work within three (3) years." Have the financial roadblocks been removed? Do you have the funds committed to drill the well

FEB 9 1983

Mr. E. C. Craddick, President  
Page 2  
February 8, 1983

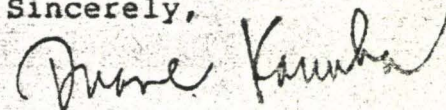
on the subject property or does it depend on obtaining additional funding?

2. Are you still committed to drill at least three successful wells on the subject property? If not three, how many wells do you plan to drill here?
3. We understand that your drilling rig is committed to do additional work on the two Puna Geothermal Venture wells as well as the Lanipuna No. 1 well. In light of these commitments, is your projected drilling timetable for the subject property realistic? How will future Puna Geothermal Venture drilling requirements affect the proposed drilling schedule for the subject property?

Your status report mentions amending conditions of the subject permit. Please be advised that any time extension request must be submitted at least sixty (60) days prior to the expiration date of the condition.

Should you have any questions regarding this matter, please do not hesitate to contact Keith Kato or Brian Nishimura of this office.

Sincerely,



for SIDNEY FUCE  
Planning Director

BN:ds

cc: Planning Commission



# GEOHERMAL EXPLORATION & DEVELOPMENT CORP.

PACIFIC OPERATIONS

February 22, 1983

Mr. Sidney M. Fuke, Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Reference: Your Letter of February 8, 1983  
Special Permit No. 460  
Daiichi Seiko Project  
TMK: 14-2:10

Dear Mr. Fuke:

We are still committed to drill the three wells, however, both funding and scheduling are subject to changes as may be dictated from progressive findings during exploratory drilling, as reflected from both Puna Ventures prospect as well as our own wells.

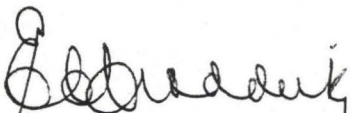
Therefore, timetables are necessarily tentative in nature, as well as is continued funding, which depends in part upon drilling success, economic factors and marketing feasibility. Funding is always available if all factors are positive.

It is our intent to work closely with Puna Ventures in drilling and assessing our inter-related resources so as to avoid unnecessary duplication of effort and loss of time.

If, as our work progresses, it appears that the permit time is insufficient to conclude a meaningful exploratory program we will have no alternative but to seek appropriate extensions.

Very truly yours,

GEOHERMAL EXPLORATION & DEVELOPMENT CORP.

  
E. C. Craddick, President

ECC/sm

|                     |              |                |            |
|---------------------|--------------|----------------|------------|
| cc: Bill Craddick   | - Hilo       | Joe Clark      | - Honolulu |
| J. S. Barnwell, Jr. | - Shreveport | S. Eisenstat   | - New York |
| D. J. Otwell        | - Honolulu   | Vern Yamanaka  | - Hilo     |
| A. F. Blumenthal    | - New York   | Clifford Lum   | - Hilo     |
|                     |              | Walt Southward | - Hilo     |

CONSULTING • PLANNING • GEOPHYSICAL STUDIES • EXPLORATORY & PRODUCTION DRILLING

2828 PAA STREET, SUITE 2085 / HONOLULU, HAWAII 96819 / TELEPHONE 839-7720 / TELEX 7238672

March 3, 1983.

Mr. E. C. Craddick, President  
Geothermal Exploration and  
Development Corporation  
2828 Paa Street, Suite 2085  
Honolulu, HI 96819

Dear Mr. Craddick:

Special Permit No. 460 ✓  
Geothermal Exploration and Development Corporation  
TMK: 1-4-2:10

This is to acknowledge receipt of your letter dated February 22, 1983, responding to our letter of February 8, 1983, regarding the above-described permit.

Thank you for your prompt reply to our request for additional information on the status report for the above-described permit.

Sincerely,



SIDNEY FUKU  
Planning Director

BN:ds

MAR 4 1983



## PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI  
Mayor

SIDNEY M. FUKE  
Director

DUANE KANUHA  
Deputy Director

COUNTY OF  
HAWAII

CERTIFIED MAIL

January 13, 1983

Mr. E. C. Craddick  
Geothermal Exploration and Development  
Corporation  
2828 Paa Street, Suite 2085  
Honolulu, HI 96819

Dear Mr. Craddick:

Special Permit No. 460  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-02:10

A review of our files shows that the subject permit was approved by the State Land Use Commission effective February 13, 1981, to allow the drilling of a maximum of nine exploratory deep wells for the purpose of determining the quality and extent of geothermal resources on the subject property.

Further, a request for a time extension to Condition No. 4 of the subject permit was granted effective June 4, 1982. In approving the time extension, Condition No. 4 was amended to read as follows: "That the drilling of the first well shall be completed within one year from the effective date of approval of this time extension." Additional conditions were imposed at this time, two of which stated the following:

- "11. That the petitioner shall submit a status report to the Planning Director on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:
  - a. A detailed description of the work undertaken during the current reporting period including a drilling activity report;
  - b. A description of the work being proposed over the next reporting period;

Mr. E. C. Craddick  
Page 2  
January 13, 1983

- c. The results of the environmental/noise monitoring activities;
- d. A log of the complaints received and the responses thereto;
- e. The current status of exploration activities in the context of long-range development goals; and
- f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.

If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to."

"14. Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void."

Over six months have elapsed since the amendment was approved and we have not received any status report to date. In light of the foregoing, it has been determined that Special Permit No. 460 is void.

Should you have any supporting documentation to alter this determination, please submit same within thirty days of your receipt of this letter.

Should you have any questions regarding this matter, please feel free to contact this office.

Sincerely,



SIDNEY FUCE  
Planning Director

BN:gs

cc: Planning Commission  
✓ State Land Use Commission



DEPARTMENT OF PLANNING  
AND ECONOMIC DEVELOPMENT

• • •  
LAND USE COMMISSION

GEORGE R. ARIYOSHI  
Governor  
WILLIAM W. L. YUEN  
Chairman  
CAROL B. WHITESELL  
Vice Chairman

Old Federal Building, Room 104, 335 Merchant Street,  
Honolulu, Hawaii 96813

COMMISSION MEMBERS:

Richard Choy  
Everett Cuskaden  
Shinsei Miyasato  
Teofilo Tachian  
Robert Tamaye  
Edward Yanai  
GORDAN FURUTANI  
Executive Officer

June 4, 1982

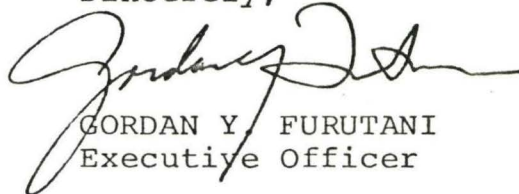
Mr. Sidney Fuke  
Planning Director  
Hawaii Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: SP80-347 - GEOTHERMAL EXPLORATION AND  
DEVELOPMENT CORPORATION

In reference to our letter to you dated  
April 26, 1982, enclosed is a copy of the  
Decision and Order on SP80-347 for your information  
and records.

Sincerely,

  
GORDAN Y. FURUTANI  
Executive Officer

Encl.

cc: Clifford H. F. Lum  
Attorney at Law

E. C. Craddick, President  
Geothermal Exploration &  
Development Corporation

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition )  
for an Extension of Time to )  
the Special Permit of )  
 )  
GEOHERMAL EXPLORATION AND )  
DEVELOPMENT CORPORATION )  
\_\_\_\_\_ )

SP80-347

This is to certify that this is a true and correct copy of the  
Decision and Order on file in the office of the State Land Use  
Commission, Honolulu, Hawaii.

6/4/67

Date

by   
Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

|                                  |   |                     |
|----------------------------------|---|---------------------|
| In the Matter of the Petition    | ) |                     |
| for the Extension of Time to the | ) | SP80-347            |
| Special Permit of                | ) |                     |
|                                  | ) |                     |
| GEOTHERMAL EXPLORATION AND       | ) | FINDINGS OF FACT,   |
| DEVELOPMENT CORPORATION          | ) | CONCLUSIONS OF LAW, |
|                                  | ) | DECISION AND ORDER  |
|                                  | ) |                     |

---

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
DECISION AND ORDER

The Land Use Commission of the State of Hawaii, having duly considered the entire record in the above entitled matter, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The Petitioner has filed for a time extension of two years to commence drilling of the first exploratory geothermal well on approximately 180 acres of land situated within the State Land Use Agricultural District at Laepaoo, Puna, Island and County of Hawaii, Tax Map Key 1-4-02: 10.

2. The subject property is located 2,000 feet north of Pohoiki Road and approximately one mile northeast of the existing Hawaii Geothermal Project (HGP-A) well site. The petitioner has leased the geothermal development rights from the fee simple owner, Daiichi Seiko of Hawaii, Inc.

3. The LUC originally granted the Special Permit on February 13, 1981 to permit the drilling of a maximum of (9) exploratory deep wells for evaluating geothermal resources on the subject property. Condition No. 4 of the Special Permit requires that drilling of the first well commence within one year from the effective date of approval of the Special Permit.

4. Petitioner offered the following as evidence of special circumstances to justify the extension:

a. The delay in drilling the first well on the subject property is due in part to the existence of only one large drilling rig in Hawaii. The drilling rig has been in use at another geothermal well site.

b. The single drilling rig operation in the Puna District permits an orderly drilling program with a minimum of disturbance to the public, a better step-by-step evaluation of work completed, and better planning of following work.

6. The Petitioner has spent \$50,000 for preparation of the first drilling site on the subject property.

7. The County of Hawaii Planning Department acknowledges that further drilling and testing is necessary to properly assess the geothermal potential of the area, but has recommended that only a one-year time extension be granted, commencing from the date of approval of the time extension by the Land Use Commission.

8. The Hawaii County Planning Commission considered the time extension request at a hearing on March 4, 1982. At the same March 4, 1982 meeting, the Planning Commission voted unanimously to adopt the recommendation of the Planning Department to extend for one year from the date of approval by the Land Use Commission, the time to commence drilling of the first well. The Hawaii County Planning Commission approved the extension and amended its previous order by approving four additional conditions by the Planning Department.

9. The Planning Department transmitted the complete record of the time extension request to the Land Use Commission office on March 22, 1982. On April 21, 1982, the Land Use Commission considered and approved the time extension request subject to the additional conditions proposed by the County Planning Commission; and subject also to a modification of condition No. 4 to require that the drilling of the first well be completed rather than commenced within one year from the effective date of approval.



## CONCLUSIONS OF LAW

1. The Petitioner has shown that unusual circumstances warrant the granting of a time extension to commence drilling of exploratory deep wells on the subject property as defined in Rule 9-3 of the Rules of Practice and Procedure of the Land Use Commission.

2. Granting of the time extension will in no way alter the reasons for which the permit was originally approved, and will not be contrary to the purpose and intent of imposing time conditions.

## DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit No. 80-347 to permit the drilling and testing of exploratory geothermal wells on approximately 180 acres of land at Laepaoo, Puna, Island and County of Hawaii, more particularly identified by Tax Map Key 1-4-02: 10, be and the same is hereby amended as follows:  
Condition No. 4 is amended to read as follows:

"4. That the drilling of the first well shall be completed within one (1) year from June 4, 1982, the effective date of approval of a time extension by the Land Use Commission."

This Special Permit is further amended by the following added conditions:

"11. That the petitioner shall submit a status report to the Planning Director and the Executive Officer of the State Land Use Commission on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:

a. A detailed description of the work undertaken during the current reporting period including drilling activity report;

- b. A description of the work being proposed over the next reporting period;
- c. The results of the environmental/noise monitoring activities;
- d. A log of the complaints received and the responses thereto;
- e. The current status of exploration activities in the context of long-range development goals; and
- f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.


If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to.

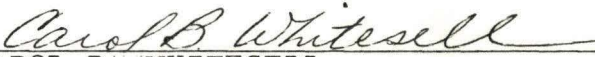
- "12. That the petitioner provide a telephone number for use by local individuals in case of noise or odor complaints and have an employee available at the drillsite, 24 hours a day, to respond to any local complaints for the duration of drilling activity.
- "13. That the petitioner conduct a noise monitoring program throughout the drilling operation. The petitioner shall submit the noise monitoring data to the Planning Department upon termination of the drilling operation or, at any time during drilling activity, upon the request of the Planning Director.
- "14. Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void."

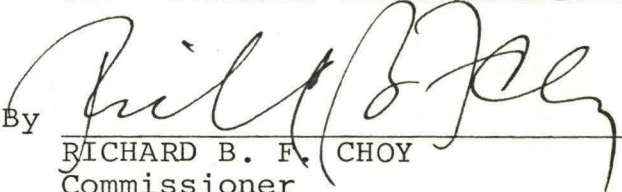
SP80-347 - GEOTHERMAL EXPLORATION AND  
DEVELOPMENT CORPORATION

Done at Honolulu, Hawaii, this 27th day of May, 1982,  
per motion on April 21, 1982.


LAND USE COMMISSION  
STATE OF HAWAII

By   
WILLIAM W. L. YUEN  
Chairman and Commissioner

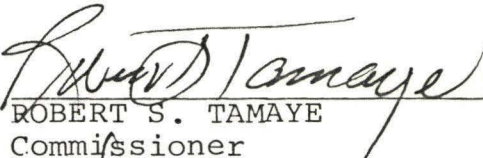
By   
CAROL B. WHITESELL  
Vice Chairman and Commissioner


By   
RICHARD B. F. CHOY  
Commissioner

By   
EVERETT L. CUSKADEN  
Commissioner

By   
SHINSEI MIYASATO  
Commissioner

By   
TEOFILO PHIL TACBIAN  
Commissioner

By   
ROBERT S. TAMAYE  
Commissioner

By   
EDWARD K. YANAI  
Commissioner

PS Form 3800, Apr. 1976 SP80-347 - GEOTHERMAL EXPL. & DEV. CORP.

P 216 548 146

**RECEIPT FOR CERTIFIED MAIL**

**NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)**

|                             |   |                        |  |      |      |
|-----------------------------|---|------------------------|--|------|------|
| SENT TO                     |   |                        | E. C. Craddick   |      |      |
| STREET AND NO.              |   |                        |  |      |      |
| P.O., STATE AND ZIP CODE    |   |                        |  |      |      |
| POSTAGE                     |   |                        | \$   | 54   |      |
| CONSULT POSTMASTER FOR FEES | CERTIFIED FEE   |                        |  | 75 ¢ |      |
|                             | OPTIONAL SERVICES   | SPECIAL DELIVERY       |  | ¢    |      |
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|                             |   | RETURN RECEIPT SERVICE | SHOW TO WHOM AND DATE DELIVERED                          |      | 60 ¢ |
|                             |   |                        | SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY              |      | ¢    |
|                             |   |                        | SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY |      | ¢    |
|                             | SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY |                        | ¢  |      |      |
| TOTAL POSTAGE AND FEES      |   |                        | \$   | 1.89 |      |

POSTMARK OR DATE



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

PS Form 3811, Jan. 1979

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

**1. The following service is requested (check one.)**

- Show to whom and date delivered..... ℂ
- Show to whom, date and address of delivery... ℂ
- RESTRICTED DELIVERY  
Show to whom and date delivered..... ℂ
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery. \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

**2. ARTICLE ADDRESSED TO:**

E. C. Craddick

**3. ARTICLE DESCRIPTION:**

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|----------------|---------------|-------------|
|                | 548-146       |             |

(Always obtain signature of addressee or agent)

I have received the article described above.

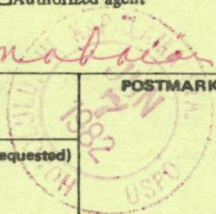
SIGNATURE  Addressee  Authorized agent

4.

DATE OF DELIVERY

6/7/82 JUN 7 1982

POSTMARK



5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**UNITED STATES POSTAL SERVICE**

**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE. \$300



**State of Hawaii**  
**LAND USE COMMISSION**  
**Room 104, Old Federal Building**  
**335 Merchant Street**  
**Honolulu, Hawaii 96813**

**RETURN  
TO**



---

(Name of Sender)

---

(Street or P.O. Box)

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(City, State, and ZIP Code)

PS Form 3800, Apr. 1976 SP80-347 - GEOTHERMAL EXPL. & DEV. CORP.

P 216 548 145

**RECEIPT FOR CERTIFIED MAIL**

**NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)**

|                             |                        |   |         |
|-----------------------------|------------------------|---|---------|
| SENT TO                     |                        |   |         |
| Clifford Lum                |                        |   |         |
| STREET AND NO.              |                        |   |         |
| P.O., STATE AND ZIP CODE    |                        |   |         |
| POSTAGE                     |                        |   | \$ .54  |
| CONSULT POSTMASTER FOR FEES | OPTIONAL SERVICES      | CERTIFIED FEE   | 75 ¢    |
|                             |                        | SPECIAL DELIVERY  | ¢       |
|                             |                        | RESTRICTED DELIVERY   | ¢       |
|                             | RETURN RECEIPT SERVICE | SHOW TO WHOM AND DATE DELIVERED                                     | 60 ¢    |
|                             |                        | SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY                         | ¢       |
|                             |                        | SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY            | ¢       |
|                             |                        | SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY | ¢       |
| TOTAL POSTAGE AND FEES      |                        |   | \$ 1.89 |
| POSTMARK OR DATE            |                        |   |         |





**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

PS Form 3811, Jan 1979

SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

Show to whom and date delivered..... ¢

Show to whom, date and address of delivery... ¢

RESTRICTED DELIVERY

Show to whom and date delivered..... ¢

RESTRICTED DELIVERY.

Show to whom, date, and address of delivery. \$ \_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Clifford Lum

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

548-145

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

4.

DATE OF DELIVERY

6-7-82

POSTMARK

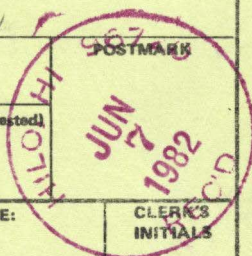
5.

ADDRESS (Complete only if requested)

6.

UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**UNITED STATES POSTAL SERVICE**

**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN  
TO**



PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE: \$300



HILO, HI  
JUN 7 1982  
State of Hawaii

**LAND USE COMMISSION**  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813

\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, and ZIP Code)

P 216 548 144

PS Form 3800, Apr. 1976 SP80-347 - GEOTHER. EXPLOR. & DEV. CORP.

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

|   |                        |  |     |    |   |
|---|------------------------|--|-----|----|---|
| SENT TO   |                        | Sidney Fuke  |     |    |   |
| STREET AND NO.  |                        |  |     |    |   |
| P.O., STATE AND ZIP CODE  |                        |  |     |    |   |
| POSTAGE   |                        | \$   | 54  |    |   |
| CONSULT POSTMASTER FOR FEES   | OPTIONAL SERVICES      | CERTIFIED FEE  |     | 75 | c |
|   |                        | SPECIAL DELIVERY   |     |    | c |
|   | RESTRICTED DELIVERY    |  |     | c  |   |
|   | RETURN RECEIPT SERVICE | SHOW TO WHOM AND DATE DELIVERED                          |     | 60 | c |
|   |                        | SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY              |     |    | c |
|   |                        | SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY |     |    | c |
| SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY |                        |  | c   |    |   |
| TOTAL POSTAGE AND FEES  |                        | \$   | 189 |    |   |

POSTMARK OR DATE



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

PS Form 3811, Jan. 1979

SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....¢
- Show to whom, date and address of delivery...¢
- RESTRICTED DELIVERY  
Show to whom and date delivered.....¢
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.\$\_\_\_\_\_

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Sidney Fuke

3. ARTICLE DESCRIPTION:

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|----------------|---------------|-------------|
|                | 548-144       |             |

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

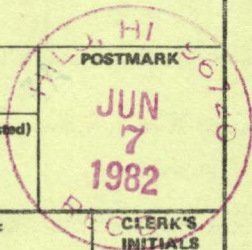
4. DATE OF DELIVERY

6-7-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**UNITED STATES POSTAL SERVICE**

**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN  
TO**



\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, and ZIP Code)

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



HONOLULU, HI 968  
JUN 7 1982  
State of Hawaii  
**LAND USE COMMISSION**  
Room 104, Old Federal Building  
335 Merchant Street  
Honolulu, Hawaii 96813

BEFORE THE LANDE USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition )  
for an Extension of Time to ) SP80-347  
the Special Permit of )  
)  
GEOHERMAL EXPLORATION AND )  
DEVELOPMENT CORPORATION )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Decision and Order was served upon the following by certified mail.

SIDNEY FUKU, Planning Director  
Planning Department  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

CLIFFORD H. F. LUM  
Attorney at Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

E. C. CRADDICK, President  
Geothermal Exploration and  
Development Corporation  
2828 Paa Street, Suite 2085  
Honolulu, Hawaii 96819

DATED: Honolulu, Hawaii, this 4th day of June, 1982.

  
\_\_\_\_\_  
GORDAN Y. FURUTANI  
Executive Officer



April 26, 1982

Hawaii Planning Commission  
25 Aupuni Street  
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on April 21, 1982, the Land Use Commission voted to approve a time extension to Condition No. 4 of the Special Permit (SP80-347) granted to Geothermal Exploration and Development Corporation for the drilling of exploratory geothermal wells on approximately 180 acres of land situated within the Agricultural District at Puna, Island of Hawaii, Tax Map Key 1-4-02: 10.

In approving the time extension, Condition No. 4 was amended by the Land Use Commission to read as follows: "That the drilling of the first well shall be completed within one year from the effective date of approval of this time extension."

This time extension is subject to all other conditions imposed by the Hawaii County Planning Commission and conditions contained in the original Special Permit.

Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

The Land Use Commission's Decision and Order on SP80-347 will be forwarded to you at a later date. Please call me if you have any questions regarding the above.

Sincerely,

GORDAN Y. FURUTANI  
Executive Officer

GYF:gm

cc: Mr. Clifford H. F. Lum  
Mr. E. C. Craddick, President  
Geothermal Exploration & Development Corporation

PLEASE-4  
TYPE-ERASE  
AZOTON-ERASE  
April 26, 1982

Mr. Clifford H. F. Lum  
Attorney at Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

Dear Mr. Lum:

The original of the attached letter is on file in the office of the Hawaii County Planning Commission, 25 Aupuni Street, Hilo, Hawaii, 96720.

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

The Land Use Commission's Decision and Order on SP80-347 will be forwarded to you at a later date. Please call me if you have any questions regarding the above.

Sincerely,

GORDAN Y. FURUTANI  
Executive Officer

GYF:gm

cc: Mr. E. C. Craddick, President  
Geothermal Exploration & Development Corporation

April 26, 1982

Department of Planning and  
Economic Development  
State of Hawaii  
250 South King Street  
Honolulu, Hawaii 96813

Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on April 21, 1982, the Land Use Commission voted to approve a time extension to Condition No. 4 of the Special Permit (SP80-347) granted to Geothermal Exploration and Development Corporation for the drilling of exploratory geothermal wells on approximately 180 acres of land situated within the Agricultural District at Puna, Island of Hawaii, Tax Map Key 1-4-02: 10.

Approval of this Special Permit is subject to the conditions imposed by the Hawaii County Planning Commission and the Land Use Commission. A copy of the Land Use Commission's Decision and Order on this matter is on file at the Commission's office.

Sincerely,

GORDAN Y. FURUTANI  
Executive Officer

GYF:gm

cc: Real Property Tax Office, Hawaii  
Mapping Section, Department of Finance  
Property Technical Office, Department of Finance  
Property Assessment, Department of Finance  
Office of Environmental Quality Control  
Land Management, DLNR

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP80-347 - GEOTHERMAL EXPL. & DEVELOPMENT CORP.

DATE April 21, 1982

PLACE Conf. Rooms 322 A & B  
Kalanimoku Bldg., Hon., HI

TIME 9:00 a.m.

|   | NAME                  | YES | NO | ABSTAIN | ABSENT |
|---|-----------------------|-----|----|---------|--------|
| S | TACBIAN, TEOFILO PHIL | X   |    |         |        |
|   | YANAI, EDWARD K.      | X   |    |         |        |
|   | MIYASATO, SHINSEI     | X   |    |         |        |
|   |                       |     |    |         |        |
|   | WHITESELL, CAROL B.   | X   |    |         |        |
|   | CUSKADEN, EVERETT L.  | X   |    |         |        |
| M | TAMAYE, ROBERT S.     | X   |    |         |        |
|   | CHOY, RICHARD B. F.   | X   |    |         |        |
|   | YUEN, WILLIAM W. L.   | X   |    |         |        |

Comments: I move to approve SP80-347, subject to the conditions imposed by the Hawaii Planning Commission and as amended by the Land Use Commission.

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP80-347 - GEOTHERMAL EXPL. &  
DEVELOPMENT CORP.

DATE April 21, 1982

PLACE Conf. Rooms 322 A & B  
Kalanimoku Bldg., Hon., HI

TIME 9:00 a.m.

|   | NAME                  | YES | NO | ABSTAIN | ABSENT |
|---|-----------------------|-----|----|---------|--------|
|   | WHITESELL, CAROL B.   |     |    |         |        |
|   |                       |     |    |         |        |
| S | TACBIAN, TEOFILO PHIL |     |    |         |        |
|   | TAMAYE, ROBERT S.     |     |    |         |        |
|   | MIYASATO, SHINSEI     |     |    |         |        |
| M | CUSKADEN, EVERETT L.  |     |    |         |        |
|   | CHOY, RICHARD B. F.   |     |    |         |        |
|   | YANAI, EDWARD K.      |     |    |         |        |
|   | YUEN, WILLIAM W. L.   |     |    |         |        |

Comments: I move to amend condition #4 to state that "the drilling of the first well shall be completed within one year from the effective date of approval of the Special Permit".

(passed by voice vote)

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322 B  
Kalanimoku Building  
Honolulu, Hawaii

Approved  
7/1/82

April 21, 1982 - 9:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman  
Carol Whitesell, Vice Chairman  
Richard Choy  
Everett Cuskaden  
Shinsei Miyasato  
Phil Tacbian  
Robert Tamaye  
Edward Yanai

STAFF PRESENT: Gordan Furutani, Executive Officer  
Joseph Chu, Planner  
Carolee Aoki, Deputy Attorney General  
Dora Horikawa, Chief Clerk  
  
Ray Russell, Court Reporter

ACTION

✓ SP80-347 - GEOTHERMAL EXPLORATION & DEVELOPMENT CORPORATION  
Request for a Time Extension to commence drilling  
of the first exploratory geothermal well at  
Laepaoo, Puna, Hawaii

Mr. Chu, staff planner, presented a summary of the staff memo relative to the request for time extension by petitioner. The location of the property was also delineated on the posted maps and oriented with various landmarks.

Commissioner Tamaye moved to approve the extension request which was seconded by Commissioner Tacbian.

Commissioner Cuskaden moved to amend condition No. 4 to read: "That the drilling of the first well shall be completed within one year from the approval of the extension request by the Land Use Commission." It was seconded by Commissioner Tacbian and carried by voice vote.

The Commissioners were polled on the motion to approve the extension request, subject to the conditions imposed by the Hawaii County Planning Commission and as amended by the Land Use Commission. It was unanimously carried.

STATE OF HAWAII  
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

DATE, TIME AND PLACE

April 21, 1982 - 9:00 a.m.  
Conference Room 322 A & B  
Kalanimoku Building  
Honolulu, Hawaii

REC'D. BY

982 APR 8 AM 9 13

LT. GOVERNOR'S OFFICE

A G E N D A

I. ACTION

✓ 1. SP80-347 - Geothermal Exploration & Development Corporation (Hawaii)

Request for a time extension to commence drilling of the first exploratory geothermal well on approximately 180 acres of land situated within the State Land Use Agricultural District at Laepaoo, Puna, Hawaii.

2. SP82-354 - Allied Hauling, Inc. (Maui)

To allow rock quarrying, rock crushing, and concrete batching operations on approximately 45.957 acres of land situated within the State Land Use Agricultural District at Pulehunui, Maui.

3. SP82-353 - The Estate of James Campbell (Oahu)

To allow the stockpiling of dredged coral on approximately 177.338 acres of land situated within the State Land Use Agricultural District at Honouliuli, Ewa, Oahu.

4. A81-511 - Maui Land & Pineapple Company, Inc. (Maui)

To reclassify approximately 8.5 acres of land currently in the Agricultural District into the Urban District at Kukuiaeo and Kailua, Makawao, Maui, for residential subdivision.

4/8/82 - A copy of this agenda was mailed to all persons and organizations on the attached mailing lists:

1. STATEWIDE
2. OAHU
3. HAWAII
4. MAUI
5. KAUAI
6. MOLOKAI

STATE OF HAWAII  
LAND USE COMMISSION  
Old Federal Building  
Room 104  
335 Merchant Street  
Honolulu, Hawaii 96813

April 7, 1982

Mr. Sidney Fuke  
Planning Director  
Hawaii County Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the agenda for the meeting.

Please note that the extension request on

SP80-347 - GEOTHERMAL EXPLORATION & DEVELOPMENT CORPORATION

will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

  
GORDAN Y. FURUTANI  
Executive Officer

Enclosure: agenda



STATE OF HAWAII  
LAND USE COMMISSION  
Old Federal Building  
Room 104  
335 Merchant Street  
Honolulu, Hawaii 96813

April 7, 1982

Mr. Clifford H. F. Lum  
Attorney at Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

Dear Mr. Lum:

Enclosed is a Notice of Land Use Commission meeting and the agenda for the meeting.

Please note that the extension request on  
SP80-347 - GEOTHERMAL EXPLORATION & DEVELOPMENT CORPORATION  
will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

  
GORDAN Y. FURUTANI  
Executive Officer

Enclosure: agenda

STATE OF HAWAII  
LAND USE COMMISSION  
Old Federal Building  
Room 104  
335 Merchant Street  
Honolulu, Hawaii 96813

April 7, 1982

Mr. E. C. Craddick, President  
Geothermal Exploration &  
Development Corporation  
2828 Paa Street, Suite 2085  
Honolulu, Hawaii 96819

Dear Mr. Craddick:

Enclosed is a Notice of Land Use Commission meeting and the agenda for the meeting.

Please note that the extension request on

SP80-347 - GEOTHERMAL EXPLORATION & DEVELOPMENT CORPORATION

will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,

  
GORDAN Y. FURUTANI  
Executive Officer

Enclosure: agenda

STATE OF HAWAII  
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission DATE: April 21, 1982  
FROM: Staff  
SUBJECT: SP80-347 - Geothermal Exploration and Development Corporation (Time Extension)

The complete record of this request for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 was received at the Land Use Commission office on March 22, 1982. This Commission granted the subject Special Permit on February 13, 1981. The permit allowed the drilling of a maximum of nine exploratory deep wells for evaluating geothermal resources on approximately 180 acres of land situated within the Agricultural District at Puna, Island of Hawaii, Tax Map Key 1-4-02: 10.

The subject property is located 2,000 feet north of Pohoiki Road and approximately one mile northeast of the HGP-A well site. The petitioner has leased the geothermal development rights from the fee simple owner, Daiichi Seiko of Hawaii, Inc. For the Commission's information, a location map showing the subject property and surrounding area is attached. (Attachment "A").

Condition No. 4 of the subject permit states:

"That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit."

The effective date of the Special Permit was February 13, 1981.

In letters dated January 20, 1982 and February 3, 1982, the Petitioner through its attorney, Clifford Lum, made a request for a two-year time extension. The Petitioner has in part stated the following in support of his request:

"This (the time extension) is necessitated because it has recently been recognized by our company that there are mutual benefits for both developers and the State in using the presently available drilling equipment and crews at the present state of exploration in the adjoining Puna Prospects of TPC/Dilco and GEDCO/Barnwell.

This is also the only large drill rig in Hawaii, and a shortage of this equipment continues to be acute on the mainland.

"Generally speaking a single rig operation permits a more orderly program with a minimum of public disturbance, and a better step by step evaluation of work completed, and of following work to be planned.

"This procedure however does make it difficult to project a fixed drilling schedule, as results of each well drilled may have a profound affect on the sequence of the drilling program for subsequent wells, both for TPC as well as ours.

"We therefore require a maximum of flexibility for scheduling and planning.

"An orderly and coordinated drilling program conducted with the least nuisance to the public is also in the interests of the State and County.

"It is our opinion that at least two more years will be required to perform the minimum exploratory drilling necessary as a preliminary basis for evaluation of the Puna area.

"We therefore suggest that we apply for a (2) two year extension of Daiichi Seiko, which adjoins both TPC and our Lanipuna property presently being drilled. Exploration of this Daiichi prospect will be directly affected by what is now being discovered on the current drilling programs.

"Although we have not commenced drilling operation per se, we have spent over \$50,000 on preparation of the first drilling site on Daiichi Seiko property."

At the request of the County Planning Department the Petitioner further submitted the following information regarding drilling schedules:

"Our previous letter pointed out the reasons that it is difficult to project any fixed schedule of drilling.

"We are, therefore, only able to outline our tentative drilling plan, which could be subject to change based on progressive findings.

Estimate Completion

|  |               |
|--|---------------|
| Drill Thermal Power Kapoho #2                  | April 1982    |
| Additional work Lanipuna #1                    | August 1982   |
| Additional work Ashida #1                      | November 1982 |
| Drill Daiichi #1                               | March 1983    |
| Drill either Daiichi, Ashida or<br>Lanipuna #2 | July 1983     |
| Drill either Daiichi, Ashida or<br>Lanipuna #3 | November 1984 |

"The objective would be to ultimately drill and test three successful wells on each of the Daiichi, Ashida, or Lanipuna projects."

A hearing on the time extension request was held by the Hawaii County Planning Commission on March 4, 1982. In its report to the Planning Commission, the Hawaii County Planning Department recommended that approval for only a one-year time extension be granted and that the time extension commence from the date of approval by the Land Use Commission. The Planning Department's recommendation was based on the following:

"Condition No. 4 states "That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit." (Emphasis added) Since the effective date of the Permit was February 13, 1981, should a 2-year time extension be granted, the Petitioner would have until February 13, 1984 in which to commence drilling of the first well. However, per Mr. E. C. Craddick's letter of February 5, 1982 to Mr. Clifford Lum, the estimated completion date for the drilling for the first well will be March of 1983. Therefore, we can only assume that the drilling will commence prior to that date. For these reasons, we contend that the one-year time extension to commence drilling of the first well is a very reasonable one.

"In terms of the time extension of one (1) year, in this particular case, we feel that approval will not be contrary to the purpose and intent for the imposition of time conditions. The purpose of stipulating time conditions is to assure that any proposed development comes to fruition in a timely manner. We feel that additional time should be afforded to the petitioner to commence drilling of the first exploratory well in order that the geothermal potential of the area can be assessed.

"The granting of a 1-year time extension will in no way alter the reasons for which the permit was originally approved. However it should be noted that the petitioner

is partially responsible for creating the timing problem in meeting the conditions of the Special Permit. The petitioner has made other commitments to drill exploratory geothermal wells that have prevented them from meeting the requirements of this particular permit. Therefore, future time extension requests will take this into consideration."

At the public hearing, Attorney Clifford Lum and Ed Craddick, President of Geothermal Exploration and Development Corporation spoke in favor of the petition. Maile Akimseu, the only other person to present testimony on the subject request, raised several questions about geothermal exploration in general, and indicated her support of the Planning Department's recommendation. For the Commission's information, the transcript of the March 4, 1982 hearing is attached. (Attachment "B")

At the March 4, 1982 meeting, the Hawaii County Planning Commission unanimously voted to approve a one-year time extension from the date of approval of this request by the State Land Use Commission. The Planning Commission's reasons for approval were based on the County Planning Department's recommendation. The Hawaii County Planning Commission's approval was also subject to the following additional conditions:

- "11. That the petitioner shall submit a status report to the Planning Director and the Executive Officer of the State Land Use Commission on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:
  - a. A detailed description of the work undertaken during the current reporting period including drilling activity report;
  - b. A description of the work being proposed over the next reporting period;
  - c. The results of the environmental/noise monitoring activities;
  - d. A log of the complaints received and the responses thereto;
  - e. The current status of exploration activities in the context of long-range development goals; and
  - f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.

If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to.

- "12. That the petitioner provide a telephone number for use by local individuals in case of noise or odor complaints and have an employee available at the drillsite, 24 hours a day, to respond to any local complaints for the duration of drilling activity.
- "13. That the petitioner conduct a noise monitoring program throughout the drilling operation. The petitioner shall submit the noise monitoring data to the Planning Department upon termination of the drilling operation or, at any time during drilling activity, upon the request of the Planning Director.

"Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void."

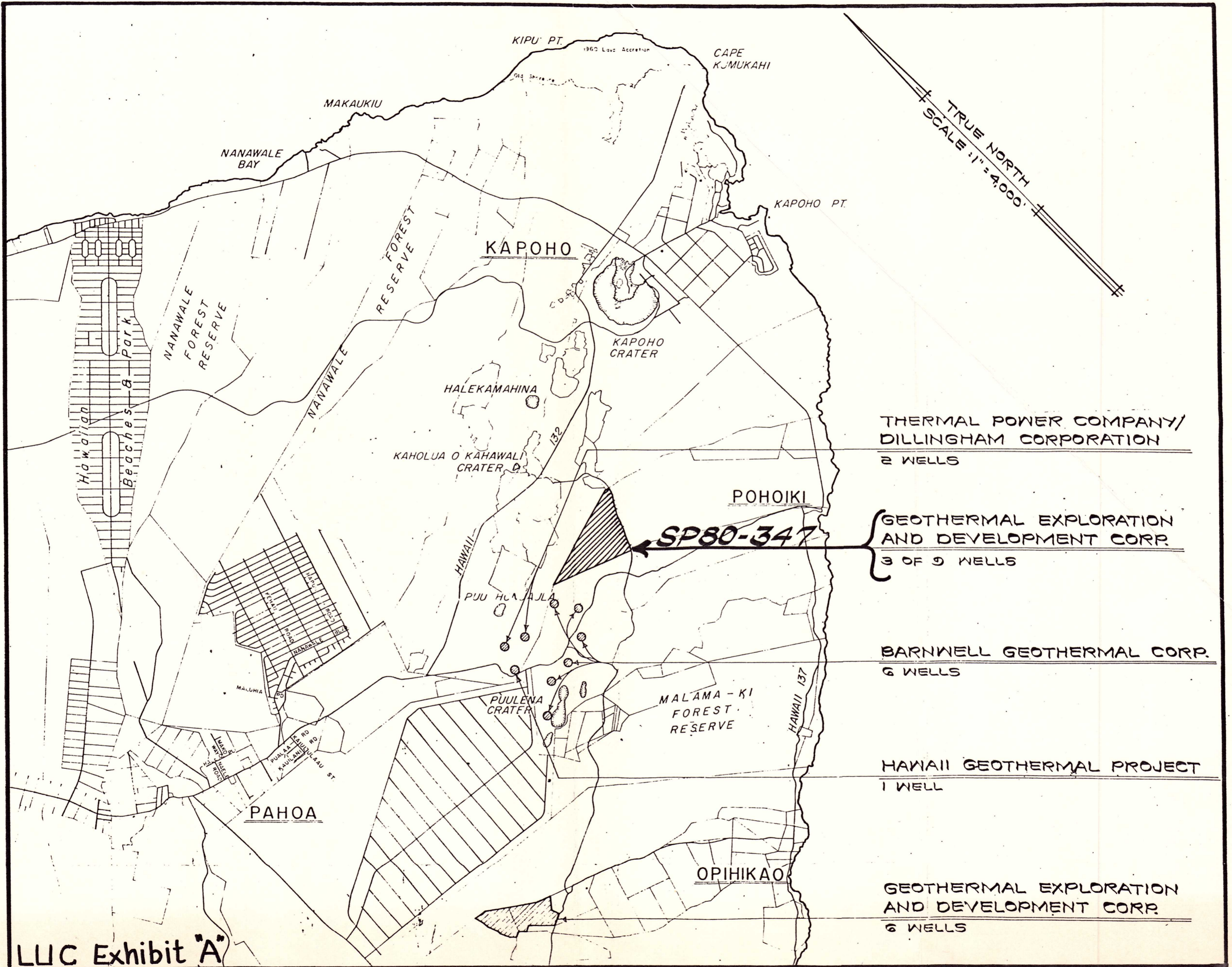
For the Commission's information, the ten conditions contained in the original Special Permit are as follows:

- "1. That prior to commencement of any operation, the Petitioner or its authorized representative(s) shall comply with the requirements of Regulation 8 of the State Department of Land and Natural Resources relative to drilling for geothermal resources in Hawaii.
- "2. That the Petitioner/representative(s) shall secure a building permit for all structures which are to be constructed on the subject property.
- "3. That prior to commencement of any drilling activity, the Petitioner/representative(s) shall submit plans to the County Planning Department showing the location of the well site(s) to be drilled.
- "4. That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit.
- "5. That the length of this Special Permit shall be for a period not to exceed three (3) years from the effective date of the Special Permit.
- "6. That the rules, regulations and requirements of the State Department of Health shall be complied with.
- "7. That the Petitioner/representative(s) shall be responsible to assure that every precaution is taken to reduce any nuisances, whether it be noise

or fumes, which may affect the residents and properties in the immediate area. Should it be determined that these precautionary measures are not being applied, the County Planning Department is authorized to cease any further activity in the area.

- "8. That upon termination of the operation or if the Petitioner determines that the project is not feasible, all structures erected shall be dismantled and removed from the site(s) by the Petitioner.
- "9. That there shall be no more than nine (9) exploratory drillings; provided that upon the discovery of three (3) successful wells, all further exploratory drillings shall immediately cease.
- "10. That all other applicable rules and regulations shall be complied with."





TRUE NORTH  
SCALE: 1" = 4,000'

THERMAL POWER COMPANY/  
DILLINGHAM CORPORATION

2 WELLS

GEOTHERMAL EXPLORATION  
AND DEVELOPMENT CORP.

3 OF 9 WELLS

SP80-347

BARNWELL GEOTHERMAL CORP.

6 WELLS

HAWAII GEOTHERMAL PROJECT

1 WELL

GEOTHERMAL EXPLORATION  
AND DEVELOPMENT CORP.

6 WELLS

LUC Exhibit 'A'

"B"

PLANNING COMMISSION

Planning Department  
County of Hawaii

HEARING TRANSCRIPT  
March 4, 1982

A regularly advertised public hearing on the application of Geothermal Exploration and Development Corporation was called to order at 3:14 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding:

PRESENT: Alfredo Orita  
Clyde Imada  
Roy Kagawa  
Bert Nakano  
George Ponte  
Tina Whitmarsh

ABSENT: Glenn Frias  
Ex-officio Member  
H. William Sewake

Sidney M. Fuke, Planning Director  
Keith Kato, Staff Planner  
William Moore, Staff Planner  
Ed Cheplic, Staff Planner

Ben Tsukazaki, Deputy Corporation Counsel  
Galen Kuba, representing Ex-officio Member Edward Harada

and approximately 18 members of the public were in attendance

CHAIRMAN: Public hearing on the request filed by Geothermal Exploration and Development Corporation for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District. The area involved is located approximately one mile southeast of the HGP-A site and 2,000 feet north of Pohoiki Road, Laepaoo, Puna, TMK: 1-4-02:10. Staff?

MOORE: (Presented background and recommendation for approval of a one year time extension with conditions, on file.)

CHAIRMAN: Thank you, staff. Commissioners, any questions to staff? If not, is the applicant present? Will you raise your right hand, please. Do you swear to tell the truth on the matter now before the Hawaii County Planning Commission?

LUM: I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

LUM: My name is Clifford Lum and I represent Geothermal Exploration and Development Corporation.

EXHIBIT K

CHAIRMAN: Thank you, Mr. Lum. Mr. Lum, is there any addition or correction to the background report that has been presented by staff?

LUM: None to the background report, Mr. Chairman.

CHAIRMAN: And do the conditions that staff had recommended, is there any comment to those conditions?

LUM: Yes, Mr. Chairman. We had requested a time extension of two years in order to allow flexibility. I realize that we did submit a schedule of drilling, estimated completion of drilling various wells. However, it is only an estimate and at this time the schedule assumes that no further or additional work would be done to the wells drilled as listed. An example of this, Mr. Chairman, would be that in the event that the additional work on Lanipuna #1 where they would drill, do additional drilling, and after completing the additional drilling go on to Ashida #1. During the time that they would be drilling Ashida #1, additional tests would be conducted on Lanipuna #1; and from the tests being conducted, should it show it necessary, the drilling rig would then go back to Lanipuna #1 rather than continuing on to Daiichi. And, basically, that is the reason for the two-year request to allow that flexibility.

CHAIRMAN: Staff, would you like to comment?

KADO: No.

CHAIRMAN: If none, Commissioners, have you got any questions for the applicant?

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: Cliff, on page 2 of the background report, it says here the time extension is necessitated because it has recently been recognized by our company that there are mutual benefits to both developers in the State in using the presently available rig. Can you clarify a little bit more into that?

LUM: Yes. The mutual benefit, Commissioner, is that in using this one drilling rig which has been outfitted so far with the required muffling system, there has been very little or no noise at all in the Puna district arising from the drilling; and, therefore, it has almost eliminated all of the complaints as far as noise is concerned. And it is felt that to bring in more rigs at this time may create a sound disturbance that would disturb the people in Puna.

CHAIRMAN: Commissioner Nakano, did the counsel answer your question?

NAKANO: Well, he did; but I don't see if he get two rigs there, if he can still get the same results. You're only talking about one rig. If you get two rigs, with the same conditions and so forth -.

LUM: Not necessarily, Mr. Nakano, because of the fact that there are, even in the Puna area the atmosphere conditions for different areas might be different as far as sound bouncing off. And right now, the rig is set so that there is no noise created. Now we are not sure that using the same equipment would not create any further disturbance at a different site.

NAKANO: Of course, it all depends on the land there, see, topography of the land there. It may be on the high area, maybe more sound; and if you in the puka there, maybe less and so forth.

LUM: No, the last one was in the puka it created more sound than being on the top where they are presently drilling, you see. So the conditions are different.

CHAIRMAN: Commissioners?

KAGAWA: Mr. Chairman?

CHAIRMAN: Commissioner Kagawa.

KAGAWA: Cliff, this Daiichi #1 scheduled for completion March 1982, that's the one we're talking about as far as the -.

LUM: That's the one that the request is for the extension now. That's correct.

KAGAWA: In order to complete by March 1982, when would they have to start by?

LUM: They would be starting somewhere around, after November of 1982 or around November of 1982. It gives, if there are no problems with the drilling, it would take approximately three months to drill the well, depending on the depth that they would have to go.

KAGAWA: So as I understand it from the staff's recommendation is that one year is that as long as you start this well within one year. So -.

LUM: That is correct.

KAGAWA: So November 1982 would be within that one year period.

LUM: That is correct, Commissioner Kagawa, except that as we said, we assume that there would be no going back to Lanipuna #1 or Ashida #1 to do further drilling to successfully complete that well, see. On the last page of the findings, page 4, it states the objectives very well that ultimately it would be to drill and test wells, three successive wells, on each of the project site.

KAGAWA: In other words, once you drill, you still have to back and drill again?

LUM: Yeah, because you drill initially, then you pull it out, move it to the next site, and then the geophysicists go in to conduct tests on the well; and the geophysicists might require that additional drilling be done, so they would have to bring the drill rig back.

KAGAWA: So if we say one year, then you have to go to the next one, third one, right? Then you rotate it among the three?

LUM: Yeah, under the present condition right now, we would have to go to, we won't be able to go back.

KAGAWA: But I would kind of tend to go along with Commissioner Nakano and put another drill, so that we can have more workers on this island.

NAKANO: Maybe you'll get less harrassment, I think.

CHAIRMAN: Mr. Lum?

LUM: Yes.

CHAIRMAN: I have a question. It seems as though both companies are trying to utilize that one drill, am I correct?

LUM: Yes.

CHAIRMAN: Is this, you know, if you were to use your own drill, besides waiting for this drill, to not be occupied, then what would the status be? Can you meet the deadline?

LUM: If another drill was brought in, possibly, we'll be able to meet the deadline, yes.

CHAIRMAN: Is there another drill available to your knowledge?

LUM: No, this drill is ours.

CHAIRMAN: Oh, that drill is yours?

LUM: Yeah.

CHAIRMAN: So, in other words, although it belongs to you, it just so happens that the other person is using it and he's creating the problem, in essence, then.

LUM: Well, we are, presently we've contracted to drill their well while they were testing Lanipuna #1.

CHAIRMAN: Did you anticipate the problems that might arise?

LUM: Apparently not, Mr. Chairman, cause it has taken longer to drill than anticipated.

CHAIRMAN: So you did not foresee that this might happen?

LUM: No. You see, the one thing is that we ordinarily estimate two to three months to drill a well. For instance, Lanipuna #1 took longer because the drill bit broke off and it took about a month to a month and a half to send down the equipment to dig out the steel bit before they could continue drilling again. So that in itself put the drilling schedule off.

CHAIRMAN: Yes, but, Mr. Lum, do you not agree that if you do not encounter that type of a problem to expedite matters in testing out the wells, if you were to move along with a little bit more speed, you might be able to fulfill the conditions such as time element and everything else?

LUM: I believe that if everything went smoothly and there were no problems, they would be able to meet the time schedule, yes.

CHAIRMAN: Thank you. Mr. Director?

FUKE: Mr. Lum, just following up on one of the Commissioner's question about perhaps bringing in another rig and your reaction to that was, well, the existing rig is pretty much set up to accommodate all of the kinds of environmental concerns raised by the public. But on the other hand, inasmuch as conditions were imposed to all of these petitions generally running along the same line addressing the environmental issues, wouldn't having another rig also have to meet the standards or tests that have already been established for the first rig?

LUM: Yes, it would. Now the only question that I would have on that, Mr. Fuke, is whether or not the same standards for the present rig at a different site would be sufficient or additional things would have to be done, you know, beyond what has already been done. I suppose that we wouldn't know unless we move the present rig, once it is finished drilling Thermal Power #2, to another site to start drilling, say, for instance, Daiichi #1, you know. But I'm not too sure that the present standards would necessarily meet the requirements of each drilling site.

FUKE: As I understand further from the background report that this same one rig is responsible for the drilling activities at the Ashida well, the Daiichi wells, also working out with the Thermal and, of course, the object of this petition, the Barnwell, well, previously the Barnwell, yeah?

LUM: Yeah.

FUKE: This one rig is responsible for essentially all of the four different special permits that were issued to the four different parties?

LUM: At the present time, yes, that's correct.

FUKE: Do you believe that given the time constraints for each of those special permits, whether it's for the Ashida, Daiichi, the Thermal and the Barnwell, and given the fact that you have only this one rig to operate or do all of these exploratory wells for all four companies, whether you'd be able to meet the deadline for the respective special permits? Or are we or the Commission at one point in time going to be faced again with a request for an extension, time extension, by maybe this time not so much the Daiichi interest but maybe the Barnwell interest, you know, six months down the road or one year from here?

LUM: At the present time, Mr. Fuke, the Thermal Power which is slated to be completed in April of 1982, that would, at the present time, that's the last well that we would be drilling for Thermal Power. All the rest of the scheduled work is only on the Barnwell Geothermal exploration wells, the Lanipuna #1 and Ashida #1 and then on to Daiichi #1, you see.

FUKE: You know, based upon your record, how many wells a year would you say that rig would be able to dig?

LUM: Approximately, if everything went well, between three and four.

FUKE: Three to four?

LUM: Yes.

FUKE: According to some of the notes that I have before me, and I'd be more than willing to share it with you, points out that GEDCO, for the Ashida well, the effective date on that special permit was 1977, in July, and six wells. The termination date is July of 1984. GEDGO, again, with the Daiichi interest, three successful out of a maximum of nine wells. Permit issued, February of 1981. The contemplated termination, as requested, was 1984. Thermal, in 1980, was approved, termination date was October of 1983 with two wells. And Barnwell six wells at the Lanipuna site beginning in December 1980 and termination was 1983. And based upon the figures and your estimate that it's approximately three to four wells that could be done per rig a year, you may be falling short, about three to four wells short, come 1984 when all of these permits would generally expire.

LUM: Right.

FUKE: And there is, you know, just on paper, it would appear definitely that one or somebody would have to come in for a time extension request before the Planning Commission. And from our standpoint, we just assume would rather treat it much more comprehensively as opposed to, you know, playing like musical chair with that one rig.

LUM: Well, only at the present time, and I haven't looked at all of the completion dates for the various permits for this application but between December of 1983, where you said, or roughly a year and a half period, all I can say is they're going to have to drill like hell. But the rig, though, and contract right now presently with Thermal Power does expire as soon as they finish the -.

FUKE: I'm kind of curious, like who, you know, like, of course, GEDCO is the one that, you know, has the well.

LUM: Right.

FUKE: The rig.

LUM: Right.

FUKE: Now who would direct GEDCO to say I want you to dig Ashida well this time and maybe six months down the line I want you to dig the Barnwell one down at Lanipuna or maybe say stop at Lanipuna and maybe go back again to Daiichi? You know, who makes that kind of decision? Is it the rig operator or is it the developer himself?

LUM: Maybe I should have Mr. Craddick answer that question.

CHAIRMAN: Mr. Craddick, will you come forward, please. Mr. Craddick, will you raise your right hand.

CRADDICK: Yes, my name is Ed Craddick.

CHAIRMAN: Do you swear to tell the truth on the matter now before the Hawaii County Planning Commission?

CRADDICK: I do.

CHAIRMAN: Okay, will you state your name into the mike for the record.

CRADDICK: My name is Ed Craddick. I'm president of GEDCO and Barnwell Geothermal Corporation.

CHAIRMAN: Yeah, would you like to respond to the Director's comment?

CRADDICK: Yes. The responsibility for determination of each successive well site is laid out by the consultants by Geothermax, in this case, who are retained by Barnwell to evaluate the wells and to make suggestions on the next move. So the developer, to answer your question, the developer is the one who does that. The rig operator merely contracts to do the work.

FUKE: Are you saying that the Barnwell interest would tell you when you should go into the Daiichi property?

CRADDICK: Yes. After we finish each well, and an evaluation is done by the Geothermax people, based on that evaluation and the relation of that well to other wells, then that will tell them where the most sensible place is to drill your next well.

FUKE: But basically it would be Barnwell giving the instructions at the report of Geothermax?

CRADDICK: Yes.

FUKE: So Barnwell conceivably could say this is the time we should hit the Ashida well?

CRADDICK: Yes.

FUKE: Does Barnwell have the control in terms of when Thermal Power should drill their second well?

CRADDICK: Oh, no.



FUKE: But only insofar as Daiichi, Ashida and Lanipuna?

CRADDICK: Yes.

CHAIRMAN: I have a question. Cliff, is it economically sound to do those things? I mean, knowing that you're drilling here and all of a sudden if you think you're going to hit paydirt you take out the rig and move it? What about the time that is involved, which is stand idle, wasted in a sense?

CRADDICK: Well, between each well that you drill, you need at least a month, probably even two or three months, it depends upon the nature of the tests, to evaluate your well. So while you're, when you're finished drilling, a lot of this evaluation is done without the rig being present. The rig can move on to another well; and then you carry out your evaluation. So while you run your, you know, you flow your steam, take your measurements and so forth.

CHAIRMAN: Thank you.

LUM: I would assume that, you know, in regard to your question, Mr. Chairman, that if the well had been dug and is being tested and while they're drilling their second or next well, if it's near to completion, they would not pull it out just to come back to do additional work, but rather complete that well and then come on back.

CHAIRMAN: Thank you, Mr. Lum. Commissioners? Well, Mr. Lum and Mr. Craddick, thank you. You may be seated.

LUM: Thank you.

CHAIRMAN: This is a public hearing. Is there anyone from the public that would like to speak? No one? Will you come forward, please. Raise your right hand, please. Do you swear to tell the truth on the matter before the Hawaii County Planning Commission?

AKIMSEU: Yes, sir.

CHAIRMAN: Thank you. Will you state your name into the mike for the record.

AKIMSEU: Yes, sir. My name is Maile Akimseu. My question in reference to the three wells that are mentioned, Lanipuna, Daiichi and the Ashida, are these all three wells that are already located on the map?

MOORE: The Ashida well is not shown on the map here. The other one shown is Thermal Powers. We have a map here which does depict the relationship of all the special permits granted for geothermal exploration in the Puna area. The Ashida well site is shown as the lowest one on the map.

CHAIRMAN: Billy, excuse me, on the map that's there now, the big one, is there any possible chance of putting some of those pins up to indicate more or less within that area where the sites are?

MOORE: The yellow pins are an approximation of the Thermal Power wells. The white pin here is the HGP-A well, the clean pin. The white pin here is an approximation of the Lanipuna well. The area in black is the area under consideration. The specific sites to be drilled, I believe the first one is approximately in the upper central portion of the property. Is that the final determination for the site?

CRADDICK: Yes.

MOORE: Approximately there.

CHAIRMAN: Thank you, Billy.

AKIMSEU: In reference to the sound barrier that was mentioned by Mr. Lum that there will be no affect to the residents living in Leilani or Nanawale Estates due to the drilling, how do they control the sound from the rig?

CHAIRMAN: You mean do they monitor the sound?

AKIMSEU: Yeah.

CHAIRMAN: Staff, would you like to -?

MOORE: Yes, if I may. The County Planning Department has developed some guidelines that set levels, basically, levels of acceptable noise at the various receptors or residences. The drilling operator would then have to do whatever, take whatever necessary measures to insure that the operation, drilling operation, doesn't exceed these sound levels that were, the guidelines for the sound levels. The measures taken by the operators, and it's pretty wide open what they could do, have been basically trying to site the drilling rigs in such a way that the sound is not directed at the residences. They've also taken efforts to, what they call, baffling or putting up barriers to absorb or reflect the sound. There's no requirement that said they have to do this. It's basically, or, you know, they are specific types of what you call mitigative measures. But basically they have to come in and show that the drilling rig operation is quiet enough so these guidelines can be met.

AKIMSEU: Is the sound monitoring similar to the airlines?

MOORE: The monitoring is done with what's called a sound level meter. It's just a measuring device. That's all there is. There are different types of meters and different ways of measuring, but it's basically done with a, we've been using a hand-held meter to measure the sound levels.

AKIMSEU: In reference to mentioning of exploratory, the areas that you pointed out, the last one, that's the one that all of the exploratory is going to be taking place, that particular area?

MOORE: No, this is the area under consideration under this special permit that's before the Planning Commission right now. The entire area up here is being explored by various operators and developers.

AKIMSEU: I notice that there's a road running, the road that we usually use, Pohoiki Road. The boundary of ownership of Barnwell is right there?

MOORE: The area under consideration is not adjacent to Pohoiki Road. Barnwell has the development rights of a property surrounding it, but that's not what's under request right now, under what's being reviewed.

AKIMSEU: They won't, there will not be any effects on the public thoroughfare for the future?

MOORE: No, not on the roadway itself.

AKIMSEU: How many miles is that away from the closest residence?

MOORE: I'm not sure where the residences are exactly but it's about 6,000 feet from Leilani Estates, which is the main assembly of residences. These are shown on the map by the dots.

AKIMSEU: There's no one lower like in the area of Kapoho?

MOORE: Again, I'm not sure exactly where these are in exact relationship to this development. Maybe the petitioners would have an idea.

AKIMSEU: Does the petitioners know?

CRADDICK: No.

MOORE: He has the same knowledge that I do of the exact location of the residences. The dots shown on the map are a general indication of the, according to our Land Use Inventory, of where some houses are located. It gives the general relationship where the majority of houses are to the subject site.

AKIMSEU: Because the Chow family lives on the Kapoho area.

CHAIRMAN: Maile, excuse me, are you representing the Chow family?

AKIMSEU: No, no. I'm just asking how close is this drilling taking place to the nearest residence. The reason why I ask that question is we have some interest in the area of the old Kapoho Road. That's the only reason why I asked how close are they to the residents. Because many times when you have this kind of presentation to the public, not all the information is being given and not all people were, are aware.

CHAIRMAN: Well, Maile, if I may say so, I think people should be, you know, this has been advertised in the newspaper and -.

AKIMSEU: Yes, I read that.

CHAIRMAN: And you are here and I'm sure the rest of the public is here because they are concerned. If the residents that are living there had other commitments then I really don't know. But I think if they are concerned with the noise level, if they think that the

noise level is beyond living, then I think they have a right to be here to voice their comments. Like the Department had said, they do monitor the sound; and until such time as there is a complaint being made by either the residents, moreso the residents there, then it's out of their hands. Have you got any more questions?

AKIMSEU: No, no. I just want to make sure that many times, you know, Mr. Orita, people don't come to public hearings because they really don't understand what's taking place.

CHAIRMAN: Well, unless they do come, they'll never understand, right?

AKIMSEU: It's hard for people to read the kind of languages that read, you know, that are written; and I'm only speaking on behalf of residents heresay, calling in and talking about it. And I say, look, I cannot represent you; if you have a problem, you have to come in and speak for yourself. I can question and how you will accept it, you make the last decision. Thank you.

CHAIRMAN: Thank you.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Akimseu.

NAKANO: Mrs. Akimseu?

CHAIRMAN: Maile, will you come back, please.

NAKANO: You were asking all these questions and what not; but, frankly, this is a hearing to determine whether we're going to extend that condition four or, and five. So the question is this, are you against the extension? You're just asking a lot of questions about this and that. And those things, I think, are irrelevant to the petition now before the Commission.

AKIMSEU: Right. I would go along with the staff's recommendation. Thank you.

CHAIRMAN: Thank you. Is there anyone else from the public that would like to speak? If none, Commissioners, there seems to be no one from the public that would like to speak. We can either continue the public hearing or close the public hearing.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: I move that the public hearing be closed.

CHAIRMAN: A motion has been made that the public hearing be closed. Is there a second to the motion?

PONTE: Second the motion.

CHAIRMAN: It has been moved and seconded that the public hearing be closed. All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? Public hearing is closed.

Before we take action, Mr. Director, I think the applicant had responded that the one-year condition which the Department had imposed, he does not agree. Would you like to comment on that?

FUKE: Mr. Chairman, I think the reasons for the staff's position of reducing it from two years down to one year have already been expressed and contained in our recommendation. Just to recapitulate, our concern is that we feel that the one year time is a reasonable period inasmuch as it relates to the starting of the construction; and looking at the timetable that the developer has provided, we feel that's a reasonable timetable. Related to that, of course, is that the whole exploratory efforts has created a considerable amount of community anxiety and so to the extent that you kind of drag this thing on, I think that the anxiety question will remain. So what you want to do is try to get everything off the dime and have it resolved as soon as possible. So the staff's position has not changed at this point in time.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: Sid, I want to ask you a question. What action we take is going to be a recommendation to the Land Use Commission, am I right?

FUKE: That is correct.

CHAIRMAN: Short recess of three minutes.

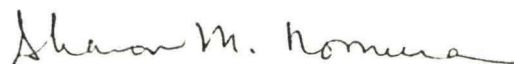
RECESS: The Chair called a short recess at 3:53 p.m.

RECONVENED: The meeting reconvened at 3:59 p.m.

It was moved by Commissioner Imada and seconded by Commissioner Whitmarsh to send a favorable recommendation for a time extension of one year to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with six ayes.

The discussion ended at 4:01 p.m.

Respectfully submitted,



Sharon M. Nomura  
Secretary

A T T E S T:



Alfredo Orita  
Chairman, Planning Commission



COUNTY OF  
HAWAII

# PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI  
Mayor

SIDNEY M. FUKU  
Director

DUANE KANUHA  
Deputy Director

March 19, 1982

Mr. Gordan Furutani  
Executive Officer, Land Use Commission  
Old Federal Building, Room 104  
335 Merchant Street  
Honolulu, Hawaii 96813

MAR 22 10 59 PM '82  
LAND USE COMMISSION  
STATE OF HAWAII

Dear Mr. Furutani:

Time Extension Request  
Special Permit No. 80-347 (LUC 460)  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-02:10

The Planning Commission at its duly held public hearing on March 4, 1982, considered the above request for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District at Laepaoo, Puna, Hawaii.

The Commission voted to recommend a one-year time extension from the date of approval of this request to the State Land Use Commission rather than the requested two year time extension to Condition No. 4. Enclosed is the entire docket on the above time extension request.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,  
*Alfredo Orta*  
ALFREDO ORITA  
CHAIRMAN, PLANNING COMMISSION

lgv  
Enclosures  
cc: Mr. Clifford H. F. Lum  
DLNR (Hilo/Honolulu)  
Department of Health

PLANNING DEPARTMENT RECORD

PLANNING DEPARTMENT

LIST OF EXHIBITS: TIME EXTENSION TO CONDITION NO. 4 OF  
SPECIAL PERMIT NO. 80-347 (LUC NO. 460) - GEOTHERMAL EXPLORATION  
& DEVELOPMENT CORP. (GEDCO)

- A. Letter from petitioner's attorney to Planning Dept. (1/20/82)
- B. Ack rec of petitioner's request for a time extension(1/24/82)
- C. Letter from petitioner's attorney to Planning Dept. (2/3/82)
- D. Ack rec of requested information regarding to time extension request (2/9/82)
- E. Notification letter of public hearing notice to petitioner (2/18/82)
- E-1. Public Hearing Notice
- F. Letter from petitioner's attorney to Planning Dept. setting forth reasons for request (2/23/82)
- F-1. Petitioner's Reasons
- G. Staff background
- H. Staff recommendation
- I. Voting Sheet, Mar. 4, 1982
- J. Minutes, Mar. 4, 1982
- K. Transcript, Mar. 4, 1982

CLIFFORD H.F. LUM

ATTORNEY AT LAW

192 KAPIOLANI STREET

HILO, HAWAII 96720

PHONE: (808) 961-6076

RECEIVED  
JAN 21 1982

January 20, 1982

HAWAII  
OK 9:17

Mr. Sidney Fuke  
Director  
Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Re: Special Permit No. 460  
Geothermal Exploration and  
Development Corporation  
DAIICHI WELL NO. I  
TMK: 1-4-02:10

Dear Mr. Fuke:

Pursuant to Special Permit No. 460, Condition No. 4 states that "the drilling of the first well will commence within one year from the effective date of approval of the special permit". It is our understanding that the decision and order in the above matter was adopted by the Land Use Commission effective February 13, 1981.

Applicant requests an extension of the time condition contained in Condition No. 4 of the Special Permit.

Pursuant to the request of the Planning Department, a time schedule is being prepared for the drilling of various Geothermal Exploratory wells in the Puna area for Geothermal Exploration and Development Corporation. Upon receipt of the schedule of drilling, we would be able to more definitely state the time period for which this extension is requested.

Enclosed also is our filing fee of \$100.00.

Should you have any further questions on this matter please do not hesitate to call upon me.

Very truly yours,

GEOHERMAL EXPLORATION AND  
DEVELOPMENT CORPORATION

By   
CLIFFORD H. F. LUM

CHFL:sf  
Enc.

EXHIBIT A



January 24, 1982

Mr. Clifford H. F. Lum  
Attorney At Law  
192 Kapiolani Street  
Hilo, HI 96720

Dear Mr. Lum:

Special Permit No. 80-347 (LUC 460)  
Geothermal Exploration and Development Corporation  
Daiichi Well No. 1  
Tax Map Key 1-4-02:10

This is to acknowledge receipt of your letter of January 20, 1982, requesting a time extension to comply with Condition No. 4 of Special Permit No. 80-347 which allowed the drilling of nine exploratory geothermal wells on approximately 180 acres of land.

The letter indicated that you will be able to more definitely state the time period for which this extension is being requested after a time schedule has been prepared for the drillings of various wells by your client. Please be informed, however, that in order to process your time extension request for a hearing, we need to know the length of time requested. As such, please provide us with this information as soon as possible.

Should you have any questions, please feel free to contact Norman Hayashi or Brian Nishimura of this office at 961-8288.

Sincerely,  
*Sidney Fuku*  
SIDNEY FUKU  
Planning Director

NH:smn

cc: State Land Use Commission

EXHIBIT B

CLIFFORD H.F. LUM

ATTORNEY AT LAW  
192 KAPIOLANI STREET  
HILO, HAWAII 96720  
PHONE: (808) 961-6076

February 3, 1982

Mr. Sidney Fuke, Director  
Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Re: Special Permit No. 80-347  
(LUC 460)  
GEDCO  
Daiichi Well No. 1  
Tax Map Key: 1-4-02:10

Dear Mr. Fuke:

Our request for a time extension of Condition No. 4 of Special Permit No. 80-347 is for a period of two years.

As soon as the time schedule for the drilling of various wells is received, it will be forwarded to you.

Thank you for your consideration.

Very truly yours,



CLIFFORD H. F. LUM

CHFL:sf  
cc: Mr. Ed Craddick

EXHIBIT C

Return to  
KW  
3W

February 9, 1982

Mr. Clifford H. F. Lum  
Attorney at Law  
192 Kapiolani Street  
Hilo, HI 96720

Dear Mr. Lum:

Special Permit No. 80-347 (LUC 460) ✓  
GEDCO  
TMK: 1-4-02:10

Thank you for providing the information requested in our letter of January 24, 1982. The information provided will be made a part of the official record.

We will inform you as to when the Planning Commission will be discussing your request as soon as the meeting date has been determined.

Should you have any questions in the meantime, please feel free to contact Norman Hayashi or Brian Nishimura of this office at 961-8288.

Sincerely,

  
SIDNEY FUKU  
Planning Director

NH:lrp

EXHIBIT D FEB 10 1982

February 18, 1982

Mr. Clifford H. F. Lum  
Attorney at Law  
192 Kapiolani Street  
Hilo, HI 96720

Dear Mr. Lum:


Notice of a Public Hearing  
Time Extension Request  
Special Permit No. 80-347 (LUC 460)  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-02:10

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 2:30 p.m. on Thursday, March 4, 1982, in the Councilroom, County Building, South Hilo, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the hearing notice and agenda are attached for your information.

Sincerely,

  
for Sidney M. Fuke  
Director

smn

Attachments

EXHIBIT E

PUBLIC HEARINGS  
PLANNING COMMISSION  
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Councilroom, County Building, South Hilo, Hawaii

DATE: Thursday, March 4, 1982

Time: 2:00 p.m. (Item No. 1)  
2:30 p.m. (Item No. 2)  
3:00 p.m. (Item No. 3)  
7:00 p.m. (Item No. 4)

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: BIG ISLAND EDUCATIONAL CREDIT UNION  
LOCATION: Northern corner of the Kinoole Street-Lono Street intersection, Waiakea, South Hilo.  
TMK: 2-2-23:7  
PURPOSE: Change of zone for 21,164 square feet of land from a Single Family Residential-10,000 square foot (RS-10) to an Office Commercial-20,000 square foot (CO-20) zoned district.
2. PETITIONER: GEOTHERMAL EXPLORATION AND DEVELOPMENT CORPORATION  
LOCATION: Approximately one mile southeast of the HGP-A site and 2,000 feet north of Pohoiki Road, Laepaoo, Puna.

EXHIBIT E-1

TMK: 1-4-02:10

PURPOSE: Request for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Agricultural District.

3. APPELLANT: MEDICAL DEVELOPMENT ASSOCIATES

LOCATION: Site of the existing Ka Waena Lapaau Medical Center Complex located at the corner of the Komohana Street-Ponahawai Street intersection, Ponahawai, South Hilo.

TMK: 2-3-37:7

PURPOSE: Petition for an appeal on the Planning Director's denial action for a change of zone application for 5 acres of land from an Agricultural 1-acre (A-1a) to a Neighborhood Commercial-20,000 square foot (CN-20) zoned district.

4. INITIATOR: PLANNING DIRECTOR

PURPOSE: An amendment to Chapter 8 (Zoning Code), Hawaii County Code for the purpose of

incorporating the Ohana Zoning concept as  
mandated by Act 229, SLH 1981.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date or in person at the public hearing.

PLANNING COMMISSION,  
ALFREDO ORITA, Chairman.  
By Sidney M. Fuke  
Planning Director

(Hawaii Tribune Herald: February 22 and March 2, 1982)

CLIFFORD H.F. LUM

ATTORNEY AT LAW

192 KAPIOLANI STREET

HILO, HAWAII 96720

PHONE: (808) 961-6076

February 23, 1982

Mr. Sidney Fuke,  
Director  
Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

Re: Special Permit No. 80-347  
(LUC 460) Gedco Daiichi  
Well No. I TMK: 1-4-02; 10

Dear Mr. Fuke:

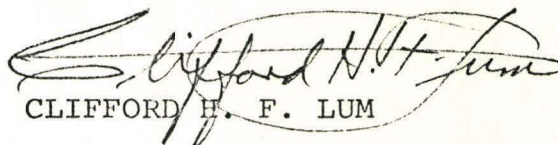
Enclosed are copies of letters dated January 19, 1982 and February 5, 1982. The first letter sets forth generally the reasons for our request for an extension of special permit. The second letter sets forth the tentative drilling plan for various well sites.

Due to the nature of the total operation for exploration expansion of successful geothermal wells, we find it difficult to set a fixed drilling schedule for each well.

Hopefully our efforts to provide an orderly drilling program with less nuisance to the public will be strongly considered in our favor. A favorable consideration of our extension request will greatly enhance the alternate energy geothermal program for the County of Hawaii.

If you have any questions, please do not hesitate to call upon me.

Very truly yours,

  
CLIFFORD H. F. LUM

CHFL:sf

enc.

cc: Mr. Ed Craddick

EXHIBIT F



# BARNWELL GEOTHERMAL CORPORATION

February 5, 1982

Clifford H. F. Lum  
Attorney At Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

Reference: Your letter 3 February 1982  
re Special Permit No. 80-347 (LUC 460)

Dear Sir:

Our previous letter pointed out the reasons that it is difficult to project any fixed schedule of drilling.

We are, therefore, only able to outline our tentative drilling plan, which could be subject to change based on progressive findings.

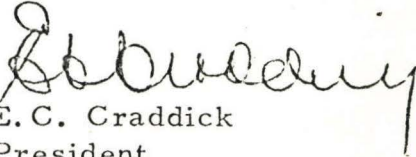
## Estimate Completion

|   |               |
|---|---------------|
| Drill Thermal Power Kapoho #2               | April 1982    |
| Additional work Lanipuna #1                 | August 1982   |
| Additional work Ashida #1                   | November 1982 |
| Drill Daiichi #1                            | March 1983    |
| Drill either Daiichi, Ashida or Lanipuna #2 | July 1983     |
| Drill either Daiichi, Ashida or Lanipuna #3 | November 1984 |

The objective would be to ultimately drill and test three successful wells on each of the Daiichi, Ashida, or Lanipuna projects.

Very truly yours,

BARNWELL GEOTHERMAL CORPORATION

  
E. C. Craddick  
President

ECC/glm

EXHIBIT F-1

JAN 21 REC'D

# GEOHERMAL EXPLORATION & DEVELOPMENT CORP.

PACIFIC OPERATIONS

January 19, 1982

Mr. Clifford H. F. Lum  
Attorney At Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

Reference: Daiichi Seiko Special  
Use Permit No. 460

Dear Mr. Lum:

As we discussed previously, it will be necessary for us to request extension of the present commencement date of 13 February 1981, on the Daiichi Site for a period of at least one year, but preferably for two. That would also result in a necessary extension of the completion date by a like amount.

This is necessitated because it has recently been recognized by our company that there are mutual benefits for both developers and the State in using the presently available drilling equipment and crews at the present stage of exploration in the adjoining Puna Prospects of TPC/Dilco and GEDCO/Barnwell. This is also the only large drill rig in Hawaii, and a shortage of this equipment continues to be acute on the mainland.

Generally speaking a single rig operation permits a more orderly program with a minimum of public disturbance, and a better step by step evaluation of work completed, and of following work to be planned.

This procedure however does make it difficult to project a fixed drilling schedule, as results of each well drilled may have a profound affect on the sequence of the drilling program for subsequent wells, both for TPC as well as ours.

We therefore require a maximum of flexibility for scheduling and planning.

An orderely and coordinated drilling program conducted with the least nuisance to the public is also in the interests of the State and County.

Mr. Clifford H. F. Lum

- 2 -

January 19, 1982

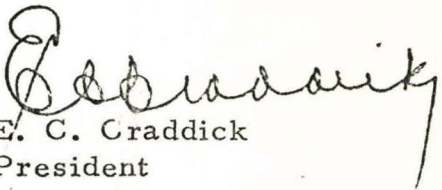
It is our opinion that at least two more years will be required to perform the minimum exploratory drilling necessary as a preliminary basis for evaluation of the Puna area.

We therefore suggest that we apply for a (2) two year extension of Daiichi Seiko, which adjoins both TPC and our Lanipuna property presently being drilled. Exploration of this Daiichi prospect will be directly affected by what is now being discovered on the current drilling programs.

Although we have not commenced drilling operation per se, we have spent over \$50,000 on preparation of the first drilling site on Daiichi Seiko property. This is normally considered in the drilling business to be tantamount to a commencement of drilling operations, however, as this may be debatable, we wish to initiate a formal application as advised by you.

Very truly yours,

GEOTHERMAL EXPLORATION &  
DEVELOPMENT CORP.

  
E. C. Craddick  
President

ECC/glm

cc: A. Blumenthal - N. Y. Office  
S. Eisenstat - N. Y. Office

TIME EXTENSION REQUEST: GEOTHERMAL EXPLORATION AND DEVELOPMENT  
CORPORATION

The petitioner, Geothermal Exploration and Development Corporation, is requesting a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981, (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District. The area involved is located approximately one mile southeast of the HGP-A site and 2,000 feet north of Pohoiki Road, Laepaoo, Puna, TMK: 1-4-02:10

Condition No. 4 of the Special Permit No. 80-347 (LUC 460) states, "That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit." The effective date of the permit was February 13, 1981.

In a letter dated January 20, 1982, the petitioner requested an extension to the time condition described above. Although the petitioner restricted the time extension request to Condition No. 4, it should be noted that Condition No. 5 also places a time restriction on the Special Permit. Condition No. 5 states, "That the length of this Special Permit shall be for a period not to exceed three (3) years from the effective date of the Special Permit."

EXHIBIT G

The petitioner is requesting a two (2)-year time extension to Condition No. 4. In support of the subject request the petitioner states, in part, the following:

"This (the time extension) is necessitated because it has recently been recognized by our company that there are mutual benefits for both developers and the State in using the presently available drilling equipment and crews at the present state of exploration in the adjoining Puna Prospects of TPC/Dilco and GEDCO/Barnwell. This is also the only large drill rig in Hawaii, and a shortage of this equipment continues to be acute on the mainland.

"Generally speaking a single rig operation permits a more orderly program with a minimum of public disturbance, and a better step by step evaluation of work completed, and of following work to be planned.

"This procedure however does make it difficult to project a fixed drilling schedule, as results of each well drilled may have a profound affect on the sequence of the drilling program for subsequent wells, both for TPC as well as ours.

"We therefore require a maximum of flexibility for scheduling and planning.

"An orderly and coordinated drilling program conducted with the least nuisance to the public is also in the interests of the State and County.

"It is our opinion that at least two more years will be required to perform the minimum exploratory drilling necessary as a preliminary basis for evaluation of the Puna area.

"We therefore suggest that we apply for a (2) two year extension of Daiichi Seiko, which adjoins both TPC and our Lanipuna property presently being drilled. Exploration of this Daiichi prospect will be directly affected by what is now being discovered on the current drilling programs.

"Although we have not commenced drilling operation per se, we have spent over \$50,000 on preparation of the first drilling site on Daiichi Seiko property."

At the request of the Planning Department the petitioner further submitted the following:

"Our previous letter pointed out the reasons that it is difficult to project any fixed schedule of drilling.

|  | <u>Estimated Completion</u> |
|--|-----------------------------|
| Drill Thermal Power Kapoho #2                  | April 1982                  |
| Additional work Lanipuna #1                    | August 1982                 |
| Additional work Ashida #1                      | November 1982               |
| Drill Daiichi #1                               | March 1983                  |
| Drill either Daiichi, Ashida or<br>Lanipuna #2 | July 1983                   |

Drill either Daiichi, Ashida or  
Lanipuna #3

November 1984

"The objective would be to ultimately drill and test three successful wells on each of the Daiichi, Ashida, or Lanipuna projects."

A grubbing permit for site preparation of the first drilling site was issued in April, 1981. However, the actual drilling of the well has not commenced to date.

RECOMMENDATION: GEOTHERMAL EXPLORATION AND DEVELOPMENT CORPORATION

Upon review of the subject request, staff recommends that favorable consideration be given for a one-year time extension from the date of approval <sup>of this request</sup> by the State Land Use Commission rather than the requested two-year time extension to Condition No. 4. The reasons for the approval recommendation are as follows:

Condition No. 4 states "That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit." (Emphasis added) Since the effective date of the Permit was February 13, 1981, should a 2-year time extension be granted, the Petitioner would have until February 13, 1984 in which to commence drilling of the first well. However, per Mr. E. C. Craddick's letter of February 5, 1982 to Mr. Clifford Lum, the estimated completion date for the drilling of the first well will be March of 1983. Therefore, we can only assume that the drilling will commence prior to that date. For these reasons, we contend that the one-year time extension to commence drilling of the first well is a very reasonable one.

In terms of <sup>the</sup> time extension ~~request~~ of one (1) year, in this particular case, we feel that approval will not be contrary to the purpose and intent for the imposition of time conditions. The purpose of stipulating time conditions is to assure that any

EXHIBIT H



proposed development comes to fruition in a timely manner. We feel that additional time should be afforded to the petitioner to commence drilling of the first exploratory well in order that the geothermal potential of the area can be assessed.

The granting of a 1-year time extension will in no way alter the reasons for which the permit was originally approved. However it should be noted that the petitioner is partially responsible for creating the timing problem in meeting the conditions of the Special Permit. The petitioner has made other commitments to drill exploratory geothermal wells that have prevented them from meeting the requirements of this particular permit. Therefore, future time extension requests will take this into consideration.

It is further recommended that the following additional conditions be imposed:

11. That the petitioner shall submit a status report to the Planning Director and the Executive Officer of the State Land Use Commission on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:
  - a. A detailed description of the work undertaken during the current reporting period including drilling activity report;

- b. A description of the work being proposed over the next reporting period;
- c. The results of the environmental/noise monitoring activities;
- d. A log of the complaints received and the responses thereto;
- e. The current status of exploration activities in the context of long-range development goals; and
- f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.

If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to.

12. That the petitioner provide a telephone number for use by local individuals in case of noise or odor complaints and have an employee available at the drillsite, 24 hours a day, to respond to any local complaints for the duration of drilling activity.

13. That the petitioner conduct a noise monitoring program throughout the drilling operation. The petitioner shall submit the noise monitoring data to the Planning Department upon termination of the drilling operation or, at any time during drilling activity, upon the request of the Planning Director.

Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void.

RECORD OF VOTING  
 PLANNING COMMISSION  
 County of Hawaii

Date March 4, 1982

Petitioner Geothermal Exploration & Dev. Corp. - Time  
Ext. to comply with Cond. 4 of LUC 460

     Preliminary hearing  Public hearing      Request      Action

ACTION:  Approve - *Favorable Rec.*  
 Deny  
 Defer  
 Continue  
 Schedule for public hearing

Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

| Commissioners                | Aye | No | Excused | Abstain |
|------------------------------|-----|----|---------|---------|
| FRIAS, GLENN                 |     |    | ✓       |         |
| IMADA, CLYDE (VICE) <i>M</i> | ✓   |    |         |         |
| KAGAWA, ROY                  | ✓   |    |         |         |
| NAKANO, BERT                 | ✓   |    |         |         |
| PONTE, GEORGE                | ✓   |    |         |         |
| WHITMARSH, TINA <i>W</i>     | ✓   |    |         |         |
| ORITA, ALFREDO (CHRM)        | ✓   |    |         |         |
|                              |     |    |         |         |
|                              |     |    |         |         |

PLANNING COMMISSION

Planning Department  
County of Hawaii

MINUTES  
March 4, 1982

The Planning Commission met in regular session at 10:05 a.m. on March 4, 1982, in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding.

PRESENT: Alfredo Orita  
Clyde Imada  
Bert Nakano  
George Ponte  
Tina Whitmarsh  
Roy Kagawa (From 1:30 p.m.)  
Glenn Frias (From 7:00 p.m.)

ABSENT: Ex-officio Member  
H. William Sewake

Sidney M. Fuke, Planning Director  
Keith Kato, Staff Planner  
William Moore, Staff Planner (From 1:30 to 4:01 p.m.)  
Ed Cheplic, Staff Planner (From 2:14 to 4:01 p.m.)  
Donald Tong, Staff Planner (From 7:00 p.m.)

Ben Tsukazaki, Deputy Corporation Counsel  
Galen Kuba, representing Ex-officio Member Edward Harada  
(From 1:30 to 4:52 p.m.)

and no one at 10:05 a.m., approximately 7 people at  
1:30 p.m., 13 people at 2:02 p.m., 12 people at  
3:00 p.m., 10 people at 4:01 p.m., and 31 people at  
7:00 p.m.

WORKSHOP

Workshop on Administrative Law.

A workshop on Administrative Law was conducted by Deputy Corporation Counsel Ben Tsukazaki. He explained the handout he made available to each of the Commissioners, on file.

RECESS: The Chair called a recess at 11:36 a.m. until the scheduled Unfinished Business at 1:30 p.m.

RECONVENED: The meeting reconvened at 1:30 p.m.

Commissioner Kagawa arrived at this time.

All those testifying were duly sworn in.

SPECIAL PERMIT

REAL ESTATE

GALLERY KONA, INC.

KAHUKU, KA'U

Application of Real Estate Gallery Kona, Inc. for a Special Permit to allow the establishment of a real estate office within a portion of an existing single family dwelling located on 48,223 square feet of land situated within the

State Land Use Agricultural District. The area involved is located at the eastern corner of the Hawaii Belt Road-Lehua Lane intersection, Hawaiian Ocean View Estates Subdivision, Kahuku, Ka'u, TMK: 9-2-93:12.

EXHIBIT J

Under public testimony, Frances Schobel, representing the Friends of Kamao Point, questioned whether their attorney would be able to submit written testimony within a week. The Chair pointed out that public testimony may be received as long as the hearing is opened. He noted that if the Commission goes along with the staff's recommendation that the hearing be continued to a Kona meeting, their attorney could either submit written testimony prior to that meeting or give oral testimony at the hearing.

It was moved by Commissioner Kagawa and seconded by Commissioner Ponte that the public hearing be continued to the next Kona meeting. Motion was carried.

TIME EXTENSION  
SP 80-347  
GEOTHERMAL  
AND DEVELOPMENT  
CORPORATION  
LAEPAAO, PUNA

Public hearing on the request filed by Geothermal Exploration and Development Corporation for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District. The area involved is located approximately one mile southeast of the HGP-A site and 2,000 feet north of Pohoiki Road, Laepaoo, Puna, TMK: 1-4-02:10.

Staff presented background and recommendation for approval of a one year time extension with conditions, on file.

The petitioner's representatives, Clifford Lum and Ed Craddick, were in attendance.

Mr. Lum clarified that their request for two years additional time is to allow flexibility in case something happens to the drilling process and also if they have to go back to drill a well after a test has determined it was necessary.

Commissioner Nakano questioned the possibility of bringing in another rig so that a time extension request would not be necessary. Mr. Lum explained that in using this one rig, which belongs to them and has been outfitted with a required muffling system, it has almost eliminated all of the complaints regarding noise and it is felt that bringing in another rig at this time may create a sound disturbance.

In response to Mr. Fuke's questioning, Mr. Lum noted that although another rig would have to meet the standards that have already been established for the first rig, he was not sure that they would necessarily meet the requirements of each drilling site; the last well to be drilled for Thermal Power is in April of 1982, and the remaining schedule of work only on Barnwell's exploratory wells (Lanipuna #1, Ashida #1, and then Daiichi #1); and if no problems arise, it is estimated the present rig would be able to drill between three to four wells a year.

Mr. Fuke then pointed out that it appeared that definitely someone would have to come in for a time extension before the Planning Commission based upon Mr. Lum's estimate of the rig drilling three to four wells a year.

In response to Mr. Fuke's further questioning, Mr. Craddick explained that the determination of drilling each successive well site for Barnwell is made by Barnwell at the report of their consultant, which is Geothermax. He clarified that Barnwell does not have the control of this determination for Thermal Power's sites.

Under public testimony, Maile Akimseu raised several questions. In response, staff indicated on the presentation map the various well sites surrounding and including the sites under consideration at present. Staff explained that the noise level is monitored by a hand-held meter and would have to comply with the guidelines established by the Planning Department, and pointed out to Mrs. Akimseu that the subject request will not affect the public thoroughfare. She then stated she concurred with the staff's recommendation.

It was moved by Commissioner Nakano and seconded by Commissioner Ponte that the public hearing be closed. Motion was carried.

At this time, Director Fuke commented that staff's recommendation for a one-year time extension remains the same inasmuch as it relates to the start of construction and in view of the developer's timetable. Related to that is that as the whole exploratory efforts have created a considerable amount of anxiety, the Department wants to have everything resolved as soon as possible.

RECESS: The Chair called a short recess at 3:53 p.m.

RECONVENED: The meeting reconvened at 3:59 p.m.

It was moved by Commissioner Imada and seconded by Commissioner Whitmarsh to send a favorable recommendation to the State Land Use Commission for a one-year time extension for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with six ayes.

At 4:01 p.m., the Commission took up the public hearing scheduled for 3:00 p.m.

APPEAL - Public hearing on the petition for an appeal  
CHANGE OF ZONE filed by Medical Development Associates on the  
MEDICAL DEVELOPMENT Planning Director's denial action for a change  
ASSOCIATES of zone application for 5 acres of land from  
PONAHAHAWAI, an Agricultural 1-acre (A-1a) to a Neighborhood  
SOUTH HILO Commercial-20,000 square foot (CN-20) zoned  
district. The area involved is the site of the  
existing Ka Waena Lapaau Medical Center Complex located at the  
corner of the Komohana Street-Ponahawahi Street intersection,  
Ponahawai, South Hilo, TMK: 2-3-37:7.

Staff presented background report, recommendation and summary of the record, on file.

The petitioner's representative, Terence Yoshioka, noted that they have agreed with the Planning Department to continue the public hearing to attempt to resolve their differences.

PLANNING COMMISSION

Planning Department  
County of Hawaii

HEARING TRANSCRIPT  
March 4, 1982

A regularly advertised public hearing on the application of Geothermal Exploration and Development Corporation was called to order at 3:14 p.m. in the Councilroom, County Building, South Hilo, Hawaii, with Chairman Alfredo Orita presiding:

PRESENT: Alfredo Orita  
Clyde Imada  
Roy Kagawa  
Bert Nakano  
George Ponte  
Tina Whitmarsh

ABSENT: Glenn Frias  
Ex-officio Member  
H. William Sewake

Sidney M. Fuke, Planning Director  
Keith Kato, Staff Planner  
William Moore, Staff Planner  
Ed Cheplic, Staff Planner

Ben Tsukazaki, Deputy Corporation Counsel  
Galen Kuba, representing Ex-officio Member Edward Harada

and approximately 18 members of the public were in attendance

CHAIRMAN: Public hearing on the request filed by Geothermal Exploration and Development Corporation for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District. The area involved is located approximately one mile southeast of the HGP-A site and 2,000 feet north of Pohoiki Road, Laepaoo, Puna, TMK: 1-4-02:10. Staff?

MOORE: (Presented background and recommendation for approval of a one year time extension with conditions, on file.)

CHAIRMAN: Thank you, staff. Commissioners, any questions to staff? If not, is the applicant present? Will you raise your right hand, please. Do you swear to tell the truth on the matter now before the Hawaii County Planning Commission?

LUM: I do.

CHAIRMAN: Will you state your name into the mike for the record, please.

LUM: My name is Clifford Lum and I represent Geothermal Exploration and Development Corporation.

EXHIBIT K



CHAIRMAN: Thank you, Mr. Lum. Mr. Lum, is there any addition or correction to the background report that has been presented by staff?

LUM: None to the background report, Mr. Chairman.

CHAIRMAN: And do the conditions that staff had recommended, is there any comment to those conditions?

LUM: Yes, Mr. Chairman. We had requested a time extension of two years in order to allow flexibility. I realize that we did submit a schedule of drilling, estimated completion of drilling various wells. However, it is only an estimate and at this time the schedule assumes that no further or additional work would be done to the wells drilled as listed. An example of this, Mr. Chairman, would be that in the event that the additional work on Lanipuna #1 where they would drill, do additional drilling, and after completing the additional drilling go on to Ashida #1. During the time that they would be drilling Ashida #1, additional tests would be conducted on Lanipuna #1; and from the tests being conducted, should it show it necessary, the drilling rig would then go back to Lanipuna #1 rather than continuing on to Daiichi. And, basically, that is the reason for the two-year request to allow that flexibility.

CHAIRMAN: Staff, would you like to comment?

KADO: No.

CHAIRMAN: If none, Commissioners, have you got any questions for the applicant?

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: Cliff, on page 2 of the background report, it says here the time extension is necessitated because it has recently been recognized by our company that there are mutual benefits to both developers in the State in using the presently available rig. Can you clarify a little bit more into that?

LUM: Yes. The mutual benefit, Commissioner, is that in using this one drilling rig which has been outfitted so far with the required muffling system, there has been very little or no noise at all in the Puna district arising from the drilling; and, therefore, it has almost eliminated all of the complaints as far as noise is concerned. And it is felt that to bring in more rigs at this time may create a sound disturbance that would disturb the people in Puna.

CHAIRMAN: Commissioner Nakano, did the counsel answer your question?

NAKANO: Well, he did; but I don't see if he get two rigs there, if he can still get the same results. You're only talking about one rig. If you get two rigs, with the same conditions and so forth -.

LUM: Not necessarily, Mr. Nakano, because of the fact that there are, even in the Puna area the atmosphere conditions for different areas might be different as far as sound bouncing off. And right now, the rig is set so that there is no noise created. Now we are not sure that using the same equipment would not create any further disturbance at a different site.

NAKANO: Of course, it all depends on the land there, see, topography of the land there. It may be on the high area, maybe more sound; and if you in the puka there, maybe less and so forth.

LUM: No, the last one was in the puka it created more sound than being on the top where they are presently drilling, you see. So the conditions are different.

CHAIRMAN: Commissioners?

KAGAWA: Mr. Chairman?

CHAIRMAN: Commissioner Kagawa.

KAGAWA: Cliff, this Daiichi #1 scheduled for completion March 1982, that's the one we're talking about as far as the -.

LUM: That's the one that the request is for the extension now. That's correct.

KAGAWA: In order to complete by March 1982, when would they have to start by?

LUM: They would be starting somewhere around, after November of 1982 or around November of 1982. It gives, if there are no problems with the drilling, it would take approximately three months to drill the well, depending on the depth that they would have to go.

KAGAWA: So as I understand it from the staff's recommendation is that one year is that as long as you start this well within one year. So -.

LUM: That is correct.

KAGAWA: So November 1982 would be within that one year period.

LUM: That is correct, Commissioner Kagawa, except that as we said, we assume that there would be no going back to Lanipuna #1 or Ashida #1 to do further drilling to successfully complete that well, see. On the last page of the findings, page 4, it states the objectives very well that ultimately it would be to drill and test wells, three successive wells, on each of the project site.

KAGAWA: In other words, once you drill, you still have to back and drill again?

LUM: Yeah, because you drill initially, then you pull it out, move it to the next site, and then the geophysicists go in to conduct tests on the well; and the geophysicists might require that additional drilling be done, so they would have to bring the drill rig back.

KAGAWA: So if we say one year, then you have to go to the next one, third one, right? Then you rotate it among the three?

LUM: Yeah, under the present condition right now, we would have to go to, we won't be able to go back.

KAGAWA: But I would kind of tend to go along with Commissioner Nakano and put another drill, so that we can have more workers on this island.

NAKANO: Maybe you'll get less harrassment, I think.

CHAIRMAN: Mr. Lum?

LUM: Yes.

CHAIRMAN: I have a question. It seems as though both companies are trying to utilize that one drill, am I correct?

LUM: Yes.

CHAIRMAN: Is this, you know, if you were to use your own drill, besides waiting for this drill, to not be occupied, then what would the status be? Can you meet the deadline?

LUM: If another drill was brought in, possibly, we'll be able to meet the deadline, yes.

CHAIRMAN: Is there another drill available to your knowledge?

LUM: No, this drill is ours.

CHAIRMAN: Oh, that drill is yours?

LUM: Yeah.

CHAIRMAN: So, in other words, although it belongs to you, it just so happens that the other person is using it and he's creating the problem, in essence, then.

LUM: Well, we are, presently we've contracted to drill their well while they were testing Lanipuna #1.

CHAIRMAN: Did you anticipate the problems that might arise?

LUM: Apparently not, Mr. Chairman, cause it has taken longer to drill than anticipated.

CHAIRMAN: So you did not foresee that this might happen?

LUM: No. You see, the one thing is that we ordinarily estimate two to three months to drill a well. For instance, Lanipuna #1 took longer because the drill bit broke off and it took about a month to a month and a half to send down the equipment to dig out the steel bit before they could continue drilling again. So that in itself put the drilling schedule off.

CHAIRMAN: Yes, but, Mr. Lum, do you not agree that if you do not encounter that type of a problem to expedite matters in testing out the wells, if you were to move along with a little bit more speed, you might be able to fulfill the conditions such as time element and everything else?

LUM: I believe that if everything went smoothly and there were no problems, they would be able to meet the time schedule, yes.

CHAIRMAN: Thank you. Mr. Director?

FUKE: Mr. Lum, just following up on one of the Commissioner's question about perhaps bringing in another rig and your reaction to that was, well, the existing rig is pretty much set up to accommodate all of the kinds of environmental concerns raised by the public. But on the other hand, inasmuch as conditions were imposed to all of these petitions generally running along the same line addressing the environmental issues, wouldn't having another rig also have to meet the standards or tests that have already been established for the first rig?

LUM: Yes, it would. Now the only question that I would have on that, Mr. Fuke, is whether or not the same standards for the present rig at a different site would be sufficient or additional things would have to be done, you know, beyond what has already been done. I suppose that we wouldn't know unless we move the present rig, once it is finished drilling Thermal Power #2, to another site to start drilling, say, for instance, Daiichi #1, you know. But I'm not too sure that the present standards would necessarily meet the requirements of each drilling site.

FUKE: As I understand further from the background report that this same one rig is responsible for the drilling activities at the Ashida well, the Daiichi wells, also working out with the Thermal and, of course, the object of this petition, the Barnwell, well, previously the Barnwell, yeah?

LUM: Yeah.

FUKE: This one rig is responsible for essentially all of the four different special permits that were issued to the four different parties?

LUM: At the present time, yes, that's correct.

FUKE: Do you believe that given the time constraints for each of those special permits, whether it's for the Ashida, Daiichi, the Thermal and the Barnwell, and given the fact that you have only this one rig to operate or do all of these exploratory wells for all four companies, whether you'd be able to meet the deadline for the respective special permits? Or are we or the Commission at one point in time going to be faced again with a request for an extension, time extension, by maybe this time not so much the Daiichi interest but maybe the Barnwell interest, you know, six months down the road or one year from here?

LUM: At the present time, Mr. Fuke, the Thermal Power which is slated to be completed in April of 1982, that would, at the present time, that's the last well that we would be drilling for Thermal Power. All the rest of the scheduled work is only on the Barnwell Geothermal exploration wells, the Lanipuna #1 and Ashida #1 and then on to Daiichi #1, you see.

FUKE: You know, based upon your record, how many wells a year would you say that rig would be able to dig?

LUM: Approximately, if everything went well, between three and four.

FUKE: Three to four?

LUM: Yes.

FUKE: According to some of the notes that I have before me, and I'd be more than willing to share it with you, points out that GEDCO, for the Ashida well, the effective date on that special permit was 1977, in July, and six wells. The termination date is July of 1984. GEDGO, again, with the Daiichi interest, three successful out of a maximum of nine wells. Permit issued, February of 1981. The contemplated termination, as requested, was 1984. Thermal, in 1980, was approved, termination date was October of 1983 with two wells. And Barnwell six wells at the Lanipuna site beginning in December 1980 and termination was 1983. And based upon the figures and your estimate that it's approximately three to four wells that could be done per rig a year, you may be falling short, about three to four wells short, come 1984 when all of these permits would generally expire.

LUM: Right.

FUKE: And there is, you know, just on paper, it would appear definitely that one or somebody would have to come in for a time extension request before the Planning Commission. And from our standpoint, we just assume would rather treat it much more comprehensively as opposed to, you know, playing like musical chair with that one rig.

LUM: Well, only at the present time, and I haven't looked at all of the completion dates for the various permits for this application but between December of 1983, where you said, or roughly a year and a half period, all I can say is they're going to have to drill like hell. But the rig, though, and contract right now presently with Thermal Power does expire as soon as they finish the -.

FUKE: I'm kind of curious, like who, you know, like, of course, GEDCO is the one that, you know, has the well.

LUM: Right.

FUKE: The rig.

LUM: Right.

FUKE: Now who would direct GEDCO to say I want you to dig Ashida well this time and maybe six months down the line I want you to dig the Barnwell one down at Lanipuna or maybe say stop at Lanipuna and maybe go back again to Daiichi? You know, who makes that kind of decision? Is it the rig operator or is it the developer himself?

LUM: Maybe I should have Mr. Craddick answer that question.

CHAIRMAN: Mr. Craddick, will you come forward, please. Mr. Craddick, will you raise your right hand.

CRADDICK: Yes, my name is Ed Craddick.

CHAIRMAN: Do you swear to tell the truth on the matter now before the Hawaii County Planning Commission?

CRADDICK: I do.

CHAIRMAN: Okay, will you state your name into the mike for the record.

CRADDICK: My name is Ed Craddick. I'm president of GEDCO and Barnwell Geothermal Corporation.

CHAIRMAN: Yeah, would you like to respond to the Director's comment?

CRADDICK: Yes. The responsibility for determination of each successive well site is laid out by the consultants by Geothermax, in this case, who are retained by Barnwell to evaluate the wells and to make suggestions on the next move. So the developer, to answer your question, the developer is the one who does that. The rig operator merely contracts to do the work.

FUKE: Are you saying that the Barnwell interest would tell you when you should go into the Daiichi property?

CRADDICK: Yes. After we finish each well, and an evaluation is done by the Geothermax people, based on that evaluation and the relation of that well to other wells, then that will tell them where the most sensible place is to drill your next well.

FUKE: But basically it would be Barnwell giving the instructions at the report of Geothermax?

CRADDICK: Yes.

FUKE: So Barnwell conceivably could say this is the time we should hit the Ashida well?

CRADDICK: Yes.

FUKE: Does Barnwell have the control in terms of when Thermal Power should drill their second well?

CRADDICK: Oh, no.

FUKE: But only insofar as Daiichi, Ashida and Lanipuna?

CRADDICK: Yes.

CHAIRMAN: I have a question. Cliff, is it economically sound to do those things? I mean, knowing that you're drilling here and all of a sudden if you think you're going to hit paydirt you take out the rig and move it? What about the time that is involved, which is stand idle, wasted in a sense?

CRADDICK: Well, between each well that you drill, you need at least a month, probably even two or three months, it depends upon the nature of the tests, to evaluate your well. So while you're, when you're finished drilling, a lot of this evaluation is done without the rig being present. The rig can move on to another well; and then you carry out your evaluation. So while you run your, you know, you flow your steam, take your measurements and so forth.

CHAIRMAN: Thank you.

LUM: I would assume that, you know, in regard to your question, Mr. Chairman, that if the well had been dug and is being tested and while they're drilling their second or next well, if it's near to completion, they would not pull it out just to come back to do additional work, but rather complete that well and then come on back.

CHAIRMAN: Thank you, Mr. Lum. Commissioners? Well, Mr. Lum and Mr. Craddick, thank you. You may be seated.

LUM: Thank you.

CHAIRMAN: This is a public hearing. Is there anyone from the public that would like to speak? No one? Will you come forward, please. Raise your right hand, please. Do you swear to tell the truth on the matter before the Hawaii County Planning Commission?

AKIMSEU: Yes, sir.

CHAIRMAN: Thank you. Will you state your name into the mike for the record.

AKIMSEU: Yes, sir. My name is Maile Akimseu. My question in reference to the three wells that are mentioned, Lanipuna, Daiichi and the Ashida, are these all three wells that are already located on the map?

MOORE: The Ashida well is not shown on the map here. The other one shown is Thermal Powers. We have a map here which does depict the relationship of all the special permits granted for geothermal exploration in the Puna area. The Ashida well site is shown as the lowest one on the map.

CHAIRMAN: Billy, excuse me, on the map that's there now, the big one, is there any possible chance of putting some of those pins up to indicate more or less within that area where the sites are?

MOORE: The yellow pins are an approximation of the Thermal Power wells. The white pin here is the HGP-A well, the clean pin. The white pin here is an approximation of the Lanipuna well. The area in black is the area under consideration. The specific sites to be drilled, I believe the first one is approximately in the upper central portion of the property. Is that the final determination for the site?

CRADDICK: Yes.

MOORE: Approximately there.

CHAIRMAN: Thank you, Billy.

AKIMSEU: In reference to the sound barrier that was mentioned by Mr. Lum that there will be no affect to the residents living in Leilani or Nanawale Estates due to the drilling, how do they control the sound from the rig?

CHAIRMAN: You mean do they monitor the sound?

AKIMSEU: Yeah.

CHAIRMAN: Staff, would you like to -?

MOORE: Yes, if I may. The County Planning Department has developed some guidelines that set levels, basically, levels of acceptable noise at the various receptors or residences. The drilling operator would then have to do whatever, take whatever necessary measures to insure that the operation, drilling operation, doesn't exceed these sound levels that were, the guidelines for the sound levels. The measures taken by the operators, and it's pretty wide open what they could do, have been basically trying to site the drilling rigs in such a way that the sound is not directed at the residences. They've also taken efforts to, what they call, baffling or putting up barriers to absorb or reflect the sound. There's no requirement that said they have to do this. It's basically, or, you know, they are specific types of what you call mitigative measures. But basically they have to come in and show that the drilling rig operation is quiet enough so these guidelines can be met.

AKIMSEU: Is the sound monitoring similar to the airlines?

MOORE: The monitoring is done with what's called a sound level meter. It's just a measuring device. That's all there is. There are different types of meters and different ways of measuring, but it's basically done with a, we've been using a hand-held meter to measure the sound levels.

AKIMSEU: In reference to mentioning of exploratory, the areas that you pointed out, the last one, that's the one that all of the exploratory is going to be taking place, that particular area?

MOORE: No, this is the area under consideration under this special permit that's before the Planning Commission right now. The entire area up here is being explored by various operators and developers.



AKIMSEU: I notice that there's a road running, the road that we usually use, Pohoiki Road. The boundary of ownership of Barnwell is right there?

MOORE: The area under consideration is not adjacent to Pohoiki Road. Barnwell has the development rights of a property surrounding it, but that's not what's under request right now, under what's being reviewed.

AKIMSEU: They won't, there will not be any effects on the public thoroughfare for the future?

MOORE: No, not on the roadway itself.

AKIMSEU: How many miles is that away from the closest residence?

MOORE: I'm not sure where the residences are exactly but it's about 6,000 feet from Leilani Estates, which is the main assembly of residences. These are shown on the map by the dots.

AKIMSEU: There's no one lower like in the area of Kapoho?

MOORE: Again, I'm not sure exactly where these are in exact relationship to this development. Maybe the petitioners would have an idea.

AKIMSEU: Does the petitioners know?

CRADDICK: No.

MOORE: He has the same knowledge that I do of the exact location of the residences. The dots shown on the map are a general indication of the, according to our Land Use Inventory, of where some houses are located. It gives the general relationship where the majority of houses are to the subject site.

AKIMSEU: Because the Chow family lives on the Kapoho area.

CHAIRMAN: Maile, excuse me, are you representing the Chow family?

AKIMSEU: No, no. I'm just asking how close is this drilling taking place to the nearest residence. The reason why I ask that question is we have some interest in the area of the old Kapoho Road. That's the only reason why I asked how close are they to the residents. Because many times when you have this kind of presentation to the public, not all the information is being given and not all people were, are aware.

CHAIRMAN: Well, Maile, if I may say so, I think people should be, you know, this has been advertised in the newspaper and -.

AKIMSEU: Yes, I read that.

CHAIRMAN: And you are here and I'm sure the rest of the public is here because they are concerned. If the residents that are living there had other commitments then I really don't know. But I think if they are concerned with the noise level, if they think that the

noise level is beyond living, then I think they have a right to be here to voice their comments. Like the Department had said, they do monitor the sound; and until such time as there is a complaint being made by either the residents, moreso the residents there, then it's out of their hands. Have you got any more questions?

AKIMSEU: No, no. I just want to make sure that many times, you know, Mr. Orita, people don't come to public hearings because they really don't understand what's taking place.

CHAIRMAN: Well, unless they do come, they'll never understand, right?

AKIMSEU: It's hard for people to read the kind of languages that read, you know, that are written; and I'm only speaking on behalf of residents heresay, calling in and talking about it. And I say, look, I cannot represent you; if you have a problem, you have to come in and speak for yourself. I can question and how you will accept it, you make the last decision. Thank you.

CHAIRMAN: Thank you.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Akimseu.

NAKANO: Mrs. Akimseu?

CHAIRMAN: Maile, will you come back, please.

NAKANO: You were asking all these questions and what not; but, frankly, this is a hearing to determine whether we're going to extend that condition four or, and five. So the question is this, are you against the extension? You're just asking a lot of questions about this and that. And those things, I think, are irrelevant to the petition now before the Commission.

AKIMSEU: Right. I would go along with the staff's recommendation. Thank you.

CHAIRMAN: Thank you. Is there anyone else from the public that would like to speak? If none, Commissioners, there seems to be no one from the public that would like to speak. We can either continue the public hearing or close the public hearing.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: I move that the public hearing be closed.

CHAIRMAN: A motion has been made that the public hearing be closed. Is there a second to the motion?

PONTE: Second the motion.

CHAIRMAN: It has been moved and seconded that the public hearing be closed. All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Oppose? Public hearing is closed.

Before we take action, Mr. Director, I think the applicant had responded that the one-year condition which the Department had imposed, he does not agree. Would you like to comment on that?

FUKE: Mr. Chairman, I think the reasons for the staff's position of reducing it from two years down to one year have already been expressed and contained in our recommendation. Just to recapitulate, our concern is that we feel that the one year time is a reasonable period inasmuch as it relates to the starting of the construction; and looking at the timetable that the developer has provided, we feel that's a reasonable timetable. Related to that, of course, is that the whole exploratory efforts has created a considerable amount of community anxiety and so to the extent that you kind of drag this thing on, I think that the anxiety question will remain. So what you want to do is try to get everything off the dime and have it resolved as soon as possible. So the staff's position has not changed at this point in time.

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: Sid, I want to ask you a question. What action we take is going to be a recommendation to the Land Use Commission, am I right?

FUKE: That is correct.

CHAIRMAN: Short recess of three minutes.

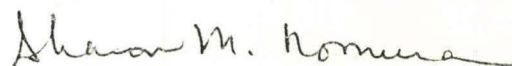
RECESS: The Chair called a short recess at 3:53 p.m.

RECONVENED: The meeting reconvened at 3:59 p.m.

It was moved by Commissioner Imada and seconded by Commissioner Whitmarsh to send a favorable recommendation for a time extension of one year to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with six ayes.

The discussion ended at 4:01 p.m.

Respectfully submitted,



Sharon M. Nomura  
Secretary

A T T E S T:



Alfredo Orita  
Chairman, Planning Commission

COPY

PLANNING DEPARTMENT  
25 AUPUNI STREET

COUNTY OF HAWAII  
HILO, HAWAII 96720

March 8, 1982

Mr. Clifford H. F. Lum  
Attorney at Law  
192 Kapiolani Street  
Hilo, Hawaii 96720

Dear Mr. Lum:

Time Extension Request  
Special Permit No. 80-347 (LUC 460)  
Geothermal Exploration and Development Corporation  
Tax Map Key 1-4-02:10

MAR 10 2 16 PM '82  
LAND USE COMMISSION  
COUNTY OF HAWAII

The Planning Commission at its duly held public hearing on March 4, 1982, considered the above request for a time extension to comply with Condition No. 4 of Special Permit No. 80-347 (LUC 460). This permit, granted by the State Land Use Commission on February 13, 1981 (date of Decision and Order), allowed the drilling of a maximum of nine (9) exploratory deep wells for the purpose of determining the quality and extent of geothermal resources available on approximately 180 acres of land situated within the State Land Use Agricultural District at Laepaoo, Puna, Hawaii.

The Commission voted to recommend a one-year time extension from the date of approval of this request to the State Land Use Commission rather than the requested two year time extension to Condition No. 4. The reasons for the approval recommendation are as follows:

Condition No. 4 states "That the drilling of the first well shall commence within one (1) year from the effective date of approval of the Special Permit." (Emphasis added) Since the effective date of the Permit was February 13, 1981, should a 2-year time extension be granted, the Petitioner would have until February 13, 1984 in which to commence drilling of the first well. However, per Mr. E. C. Craddick's letter of February 5, 1982 to Mr. Clifford Lum, the estimated completion date for the drilling of the first well will be March of 1983.

Mr. Clifford H. F. Lum  
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Therefore, we can only assume that the drilling will commence prior to that date. For these reasons, we contend that the one-year time extension to commence drilling of the first well is a very reasonable one.

In terms of the time extension of one (1) year, in this particular case, we feel that approval will not be contrary to the purpose and intent for the imposition of time conditions. The purpose of stipulating time conditions is to assure that any proposed development comes to fruition in a timely manner. We feel that additional time should be afforded to the petitioner to commence drilling of the first exploratory well in order that the geothermal potential of the area can be assessed.

The granting of a 1-year time extension will in no way alter the reasons for which the permit was originally approved. However it should be noted that the petitioner is partially responsible for creating the timing problem in meeting the conditions of the Special Permit. The petitioner has made other commitments to drill exploratory geothermal wells that have prevented them from meeting the requirements of this particular permit. Therefore, future time extension requests will take this into consideration.

The Commission further recommended that the following additional conditions be imposed:

11. That the petitioner shall submit a status report to the Planning Director and the Executive Officer of the State Land Use Commission on a biannual basis, or, within thirty (30) days of the completion of any exploratory well. The status report shall include, but not be limited to:
  - a. A detailed description of the work undertaken during the current reporting period including drilling activity report;
  - b. A description of the work being proposed over the next reporting period;
  - c. The results of the environmental/noise monitoring activities;
  - d. A log of the complaints received and the responses thereto;

Mr. Clifford H. F. Lum  
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- e. The current status of exploration activities in the context of long-range development goals; and
- f. Any other information that the Planning Director may require which will address environmental and regulatory concerns involving the requirements of the Special Permit.

If requested by the petitioner, any proprietary information will be kept confidential within the time frame as may be agreed to.

- 12. That the petitioner provide a telephone number for use by local individuals in case of noise or odor complaints and have an employee available at the drillsite, 24 hours a day, to respond to any local complaints for the duration of drilling activity.
- 13. That the petitioner conduct a noise monitoring program throughout the drilling operation. The petitioner shall submit the noise monitoring data to the Planning Department upon termination of the drilling operation or, at any time during drilling activity, upon the request of the Planning Director.

Should any of the stipulated conditions of approval not be met, the Permit shall be automatically void.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

*for Clyde Imada smm*  
ALFREDO ORITA  
CHAIRMAN, PLANNING COMMISSION

lgv

cc: State Land Use Commission ✓  
DLNR (Hilo/Honolulu)  
Department of Health