

BACKGROUND &
RECOMMENDATION REPORTS

SPECIAL PERMIT: GEOTHERMAL EXPLORATION AND DEVELOPMENT CORP.

The petitioner, Geothermal Exploration and Development Corp., is requesting a Special Permit to allow the exploratory drilling of a maximum of nine (9) wells on 180+ acres of land situated within the State Land Use Agricultural District. The property involved is located approximately 1 mile southeast of the existing Hawaii Geothermal Project (HGP) geothermal well site and about 2,000 feet north of the Pohoiki Road, Laepaoo, Puna, TMK: 1-4-02:10.

The area where the drilling is proposed to take place consists of a single parcel which is approximately 180 acres in size. Within the 180-acre area, the petitioner has identified ten possible drilling locations although the subject application is for a maximum of nine wells. The owner of the subject property is Daiichi Seiko of Hawaii, Inc. Access to the property will be off the Pohoiki road, through Amfac property on a old railroad right-of-way, to an existing 40-foot easement on the east boundary of the Daiichi property.

The purpose of the proposed exploratory wells is to assess geothermal potential and the ultimate development of geothermal energy. The petitioner has indicated that one well will be drilled to a depth of approximately 6,000 feet. It would take about 3 months to evaluate the information from the well. Until the first well has been analyzed, it is not known whether additional wells will be drilled.

The earliest starting date for the proposed project is anticipated to be September 1980. The drilling schedule would be 24 hours a day, 5 days a week. The equipment to be used consists of a drilling rig

EXHIBIT BB

with a tower approximately 100 feet in height, as well as generating and other accessory equipment.

In support of the subject request, the petitioner has stated, in part, the following:

The use requested is for the purpose of determining the quality and extent of geothermal resources available to serve needs for non-imported energy sources. Previous drilling results at a nearby site approximately 1.5 miles distant have demonstrated that geothermal resources are present in the area, but do not sufficiently prove the extent and viability. The proposed wells will add significantly to existing knowledge.

The operations necessary to the use will be strictly confined to an area of three acres, including access road. There will be normal operating sounds of drilling equipment common during drilling, this will be held to a minimum and should create no problem as no homes are nearby. It is predicted that a new product of useful irrigation water can result at a minimum, as one beneficial effect of the proposed use.

In addition to a physical survey to determine the exact geographical location of the proposed drilling sites, the immediate area has been surveyed to discover the presence of historical sites and evidence of the habitat of an endangered species. Such evidence as has

been adduced by this survey does not indicate a condition on the property nominated that would be harmed or altered to the detriment of any specie. A baseline study of existing conditions will also be performed prior to drilling. In addition, the Divisions of State Parks, Forestry and Fish and Game, of the Department of Land and Natural Resources, have indicated that no known or registered historic sites are present in the property and, as well, that no endangered species are known to be present with rare exception of the Hawaiian owl and Hawaiian hawk, present throughout the County of Hawaii, but not particularly occupying this property.

The area of the requested use is generally characterized as covered by recent lava flows and is of the least desirable category from the standpoint of agricultural operations. It is generally covered with rocks and not commercially useful growth of grasses, etc., not even suitable for stock grazing in a commercially or productive life-supportive way.

The requested use will not preclude future agricultural use of the land. Even full-scale development of geothermal energy would occupy and alter no more than ten percent (10%) of the total surface area of the land included in the geothermal development district. The balance of the land within this area would be allowed to

remain as it now is and would be suitable for the present uses designated in the land use laws and regulations, at least to the extent it is now useful for these purposes.

The area under consideration is part of the Kilauea volcano geologic system. Soils on the property consist of Opihikao extremely rocky muck, and Aa and Pahoe-hoe lava flows. According to the U.S.D.A. Soil Conservation Service, Soil Survey Report for the Island of Hawaii, the Opihikao series consists of well-drained, thin organic soils over Pahoe-hoe lava bedrock. A representative profile of the Opihikao extremely rocky muck has a surface layer of very dark brown muck about three inches thick underlain by Pahoe-hoe lava bedrock. The muck is rapidly permeable. The lava is very slowly permeable although water moves rapidly through the cracks. Runoff is slow and the erosion hazard is slight. This soil is in native forest or is used for pasture. The soil capability subclass rating for the Opihikao series is VIIIs. These are soils which have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife.

Both Aa and Pahoe-hoe lava flows have practically no soil covering and is bare of vegetation except for mosses, lichens, ferns, and few small ohia trees. These landforms have a soil capability subclass rating of VIII and have limitations that preclude their use for commercial plants and restrict their use to recreation, wildlife, water supply, or aesthetic purposes.

The General Plan Land Use Pattern Allocation Guide Map designates the subject area as Orchard. This designation refers to

those agricultural lands which though rocky in character and content can support productive macadamia nuts, papaya, citrus and other similar agricultural products. The Public Utilities Element of the General Plan document states that "The County shall encourage the continuation of studies concerning the development of power which can be distributed at lower costs to consumers." The Economic Element states that "The island of Hawaii should be developed into a unique scientific and cultural model. The island should become a model of living where economic gains are in balance with social and physical amenities. Development should be reviewed on the basis of total impact on the residents of the County, not only in terms of immediate short run economic benefits."

Furthermore, the proposed project is consistent with the recently adopted Energy element of the General Plan. The goals of this element are:

- . to strive for energy self-sufficiency for Hawaii County.
- . to establish the Big Island as a demonstration community for the development and use of natural energy resources.

The proposed project is also consistent with the following policies of the Energy element:

- . The County shall encourage the development of alternative energy resources.
- . The County shall encourage the expansion of energy research industry.
- . The County shall strive to assure a sufficient supply of energy to support present and future demands.

County zoning for the property is Agriculture with a 10-acre minimum lot size. Surrounding properties are also zoned Agriculture with 10-acre minimum and 1-acre minimum lot sizes, respectively. According to the Land Use Inventory conducted by the Planning Department, there are two residences within a one mile radius of the subject property.

In reviewing the subject request, the Department of Water Supply stated, "The applicant should address any effects to the groundwater resource that the proposed geothermal well drilling might cause."

The State Department of Health stated the following: "Background experience identified the need for control systems to scrub hydrogen sulfide and noise emissions. The Leilani Estates and Nanawale residents have communicated the need to be informed of future geothermal projects in the area. Recommend community informational meetings."

None of the other cooperating agencies had any comments on or objections to the subject request.

June 30 1980.

To the Planning Commission
County of Hawaii

Comments in regards to the proposed exploration for nine geothermal wells in the Pohaiiki area.

I am a land owner and resident of Keilani Estates which is the closest residential area to the Pohaiiki well site. Already my life is being disturbed by the sounds of drilling in the middle of the night at the Opihikao well site.

The production of electricity from geothermal steam does seem like a viable alternative to coal, oil and nuclear produced power. But I think that two questions should be answered by you, the council which has authority over the planning for development and by the residents of Puna and the Big Island. Do we need the electricity these proposed wells will produce and do Hawaii County residents desire geothermally produced electricity?

In all the presentations and explanations I have heard regarding geothermal energy in Puna, it appears that the electricity produced will need to be used by industries which are not now present. There will be more megawatts produced than we now need. The industries which have been looked at as potentials for ~~the~~ development in Puna are only under study and no company is yet committed until the surplus electricity

EXHIBIT BB-1
P.H. 6/30/80

exists. My concern is also that the industries utilizing the power may be more polluting and hazardous to the island's environment than even the geothermal plant itself.

The motivation behind developing these proposed wells is to produce electricity for potential industry which will stimulate the economy of Puna the county. Such industry will stimulate the economy by creating jobs for unemployed residents of the Puna district. Do the residents of Puna desire the type of industry proposed? It is assumed that it is for their benefit that the Puna district be turned from a predominantly agricultural region into an area serving an industrial park. Do the residents want this and feel that they need it?

I realize that a public hearing such as this one is for the purpose of finding out the answer to that question, yet is it adequate? One announcement in the newspaper to alert residents that this is their time to speak. I feel that many residents ~~are~~ who are concerned and do have an opinion regarding geothermal development are not represented here. Would it not be desirable to take a thorough survey from among the residents whose living patterns and environment will be affected by the proposed geothermal well exploration, power

development and industries which are to follow? We should be educated concerning the benefits and detriments of geothermal development as well as those of power production from alternative sources which are also abundant in Hawaii County: wind, waves and sun. Then the questions should be asked of all affected residents: do you want geothermal development and industry? Would another power source be more suitable for this area's environment and needs?

It seems to me that if we do indeed need more electricity in Puna and Hawaii County then we should encourage studies to determine if electricity derived from other sources would be economically feasible and less environmentally hazardous than geothermal power.

I am personally not in favor of allowing Hawaii State Agricultural Land to be used for geothermal well exploration. I feel that it should not be allowed until it is determined that it is absolutely necessary for the Puna district to produce electricity. Exploration should not take place until an adequate survey of residents reveals that they desire such development. *Alternative energy source exploration should be undertaken concurrently so as to compare the economic feasibility, environmental effects, efficiency, et cetera of wind and solar generators to those of geothermal power production.

Nancy Elmer
PO Box 1148 Pahoehoe, Hawaii

Prior to beginning the drilling.

file an ENE Imp. Statement

to

need more electricity in Puna and Hawaii County

then we should encourage studies to determine

if electricity derived from other sources would

be economically feasible and less environmentally

hazardous than geothermal power.

* It also seems very appropriate that the geothermal exploration should be required

Andy Sarbanis
Box 1729
Pohoa, Hi. 96778

Dear Mr. Chairman

I am a land owner in Kapoho in the vicinity of the proposed "geothermal testing sites". I am a farmer of fruits and vegetables.

- A.) I and 7 in California + New Zealand geothermal development has caused excessive damage to plant life in a 5 mile vicinity
- B.) I hold ~~to~~ hold those persons and/or bodies liable to any damages to my crops, health and property be they temporary or permanent caused by "dangerous waste gases + products" produced by the geothermal operation.
- C.) It is your choice to make a mess of Puna or preserve its beauty.

EXHIBIT BB-2

August 4, 1980

Mr. Andy Sarnanis
P. O. Box 1729
Pahoa, HI 96778

Dear Mr. Sarnanis:

Special Permit Application - GEDCO
Geothermal Exploratory Drilling

This is to acknowledge receipt of your letter regarding the above-captioned Special Permit application filed by Geothermal Exploration and Development Corporation. Your letter will be made a part of the official record and will be forwarded to the Planning Commission.

Should you have any other concerns, please feel free to write us.

Sincerely,



SIDNEY FUCE
Director

NH:lkt

cc: Planning Commission - w/letter
Corporation Counsel - Ben Tsukazaki

EXHIBIT BB-2

AUG 5 1980

RECOMMENDATION: GEOTHERMAL EXPLORATION AND DEVELOPMENT CORP.

Upon review of the request to allow the exploratory drilling of a maximum of nine (9) geothermal wells on 180+ acres of land situated within the State Land Use Agricultural District, staff is recommending that the County Planning Commission send a favorable recommendation to the State Land Use Commission.

It should be emphasized, however, that this favorable recommendation covers only those activities which are necessary to determine the extent and magnitude of geothermal resources on the subject property. These activities are specifically limited to the drilling of exploratory wells and the testing of these wells. This favorable recommendation should not be construed as providing any other land use commitment for the subject property or any other property in the surrounding area.

Prior to any future non-agricultural development of the subject area, the properties involved would be required to obtain a General Plan amendment, State Land Use Boundary amendment and a change of zone. Therefore, while the granting of the subject request may create a number of options for the development of the area, no commitment is being made to pursue any of those options at this time.

Furthermore, the favorable recommendation is based on the following findings:

EXHIBIT CC

1. That the proposed use will not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District not only includes lands with a high capacity of potential for agricultural uses, but also lands which are surrounded by or cotinguous to agricultural lands and which are not suited to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The subject property's dominant soil types are Opihikao extememly rocky muck, and Aa and Pahoehoe lava flows. These land types are classified by the U. S. Department of Agriculture, Soil Conservation Service as Class VIIs and VIII. These classes are the lowest in the Soil Conservation Service's ranking system for agricultural activity. Although it is possible that some agricultural activities may be conducted on the subject property, it is determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations given the capability class rating of the subject property for agricultural productivity and the above-cited criterion for determining the Agricultural District.

2. The proposed use will not substantially alter or change the essential character of the land and its present use. Although an area of 180 acres is involved in this request, at the most, only about three (3) acres of land will be used for the drill sites. The remaining area can still be used for agricultural purposes should the landowners so desire. Furthermore, should the proposed project prove to be successful, the geothermal water could be used for agricultural irrigation purposes. The by-products of the geothermal water could also be used for agricultural purposes. It is therefore determined that the granting of this particular request would not be in conflict with the State and County's Agricultural policies.

3. Electricity is the major form of energy utilized in Hawaii County. The power rate on this island is among the highest in the nation. A factor which contributes to this situation is the present method of power generation. Most of the electricity is obtained through the burning of imported oil. The cost of fuel coupled with transportation costs cause higher rates. Recognizing this concern, the General Plan has stated as a policy that "The County shall encourage the continuation of studies concerning the development of power which can be distributed at lower costs to consumers." One (1) of the major economic significance of geothermal energy is that it would presumably provide cheap^{er} power. It is therefore

determined that the granting of this particular request would be in the direction of fulfilling the above-stated policy as well as the goals of the General Plan's Public Utilities Element of "Ensuring that adequate, efficient and dependable public utility service will be available to users," and "Maximizing efficiency and economy in the provision of public utility services."

Furthermore, it has been the County and State's policy to encourage the development of alternative energy power. Both levels of government have provided substantial funding and services for energy resource research and development to reduce the State's dependence on imported fuels. The island of Hawaii is believed to possess a vast resource base of geothermal heat. The existing test well at Pohoiki in the Puna District, a project jointly sponsored by the County, State and Federal governments, demonstrated the existence of a valuable geothermal energy source. However, the extent and magnitude of geothermal resources in Hawaii must still be determined. There is no way of knowing if the island actually has a geothermal resource of economic importance unless further drilling and testing are done. As a potential power source, geothermal may either prove to be of major importance or no importance at all. Only through drilling and testing can this uncertainty be resolved. It is from these exploratory wells that data for evaluating the suitability of the resource as a production

reservoir are obtained. Therefore, by allowing the proposed use, we would also be in the direction of fulfilling the County's goals, as stated in the recently adopted Energy Element of the General Plan, of striving for energy self-sufficiency and establishing the Big Island as a demonstration community for the development and use of natural energy resources.

4. A geothermal energy source could have tremendous benefits for the people of this County as well as the rest of the State. Aside from providing cheap power, the geothermal resource can be a major factor in accomplishing several other goals. A reduction in the County's current high cost of energy will aid existing industries as well as possibly attract new endeavors. Should the tests prove successful, it can open the doors for economic development of a nature and magnitude beyond the realm of reality a few years ago. The success of geothermal energy could possibly stimulate economic activity which would provide new employment opportunities for the residents of the County. New industries will be attracted into the area in the event that large amounts of power become available. Thus, if the source of geothermal energy is successful and properly developed, it will be of great importance to the future of Hawaii.

5. Although it has been pointed out that the proposed use of the land for its intended purpose may have some adverse effects, such as problems of noise and fumes, to the surrounding properties and the residents in the immediate area, stringent controls and conditions will be attached to this Special Permit in order that the concerns may be alleviated. The petitioner will be required to comply with all applicable requirements of the State of Hawaii Department of Health.

6. That the proposed use will not unreasonably burden public agencies to provide roads, water, and other essential infrastructures and services.

Finally, we are cognizant of the fact that the granting of this particular Special Permit may lead to similar types of requests. As such, it should be pointed out that we are working on a policy of such exploratory programs to minimize rampant development of test wells. The qualification of our favorable recommendation to allow the petitioner to proceed with this development is that the total project shall be closely monitored and the petitioner will be held accountable to stringent standards to insure minimal damage to our environment. We are cognizant of the possible dangers to health of residents in the immediate area, and as stated earlier, will require preventative measures as conditions of approval of the Special Permit.

It is further recommended that the request be given favorable consideration subject to the following conditions:

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 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 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).
- 9 - *See Attach*
10. That all other applicable rules and regulations shall be complied with.

It should be pointed out that any further development beyond the drilling and testing shall require another Special Permit.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

PC RECOMMENDATION: GEOTHERMAL EXPLORATION AND DEVELOPMENT CORP.
ADDED CONDITION

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.

CONTESTED CASE PROCEEDINGS &
INTERESTED PARTIES

July 2, 1980

Ms. Moanikeala Akaka
P. O. Box 91
Kurtistown, HI 96760

Dear Ms. Akaka:

Application of Geothermal Exploratory
Development Corporation for a Special Permit
to Allow the Exploratory Drilling of a
Maximum of Nine Wells on Land Situated
within the State Land Use Agricultural
District in Puna, Hawaii

Based on your participation at the public hearing on the above matter, held on June 30, 1980, we are forwarding you more information for your consideration in deciding whether or not to request and/or participate in a "contested case" proceeding.

As we attempted to explain at the first meeting, the contested case hearing is a proceeding to which a person with more than an interest as a member of the general public is entitled. For example, if you own property that is next to a proposed development site, you would most likely be affected by the proposed development and would be entitled to a contested case hearing as a "party."

In all cases, the County Planning Commission will decide as to which persons actually qualify to be a "party."

If a contested case hearing is held, then each person accepted as a "party" will have the following rights:

1. to notice of hearing;
2. to a hearing
 - a. to present evidence,
 - b. to cross-examine witnesses,
 - c. to present oral argument;
3. to submit exceptions and present argument to the Commission when a member of the Commission who is to vote on the final decision has not heard and examined all of the evidence; and

Ms. Moanakeala Akaka

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July 2, 1980

4. to submit proposed findings of fact and conclusions of law.

It may be necessary to hold a pre-hearing conference to identify the major issues and to exchange lists of witnesses, exhibits and other information.

As you can see, the contested case hearing would be much more formal than the usual public hearing where the Planning Commission receives information from the applicant, Planning Department, and general public before deciding to grant or deny or permit an application.

If you believe that you are qualified to be a "party" and desire to participate in a contested case hearing, then you must request such a hearing in writing by delivering or mailing the request to the Planning Commission, County of Hawaii, 25 Aupuni Street, Hilo, Hawaii 96720, no later than July 18, 1980. Such a request should be accompanied by:

1. a statement of the nature of your interest (such as real property ownership, leasehold, business interest, etc.) which you believe entitles you to be a "party;"

2. (if you are representing an association or corporation) a letter of authorization from an appropriate officer for your representation of the association or corporation and a copy of the charter and by-laws, if any; and

3. a short statement of your position and the reasons supporting it (such as how your interest would be affected by the proposed exploratory drilling).

If we do not receive a written request from you by July 18, 1980 (or by mail postmarked no later than that date), we shall assume you are not interested in a contested case hearing. This would not prevent you from giving further testimony as a member of the public at any future hearing on the above-mentioned application.

We appreciate your participation thus far. Please call the County Planning Department at 961-8288 if you have any questions about this letter.

Very truly yours,

for

/s/TINA WHITMARSH

WILLIAM J. PARIS, JR., Chairman
Hawaii County Planning Commission

BT:gs

cc: Corporation Counsel

SAME LETTER SENT TO:

Mr. S. H. Mercereau
P. O. Box 963
Pahoa, HI 96778

Mr. F. C. Gibbs
P. O. Box N-300
Pahoa, HI 96778

Mr. James Woodruff
Department of Planning and
Economic Development
250 S. King Street
Honolulu, HI 96804

Mr. Joel Lamb
P. O. Box 1619
Pahoa, HI 96778

Mr. Peter A. Lindemann
P. O. Box 1126
Hilo, HI 96720

Ms. Susan Orlando
P. O. Box 448
Pahoa, HI 96778

Ms. Margaret Stevens
P. O. Box 1651
Pahoa, HI 96778

Mr. Joseph Hogye
P. O. Box 1682
Pahoa, HI 96778

Mr. Glenn Gold
P. O. Box 911
Pahoa, HI 96778

Mr. Philip Caporusso
P. O. Box 1148
Pahoa, HI 96778

Mr. Everett Sonny Kinney
Puna Hui Ohana
P. O. Box 611
Pahoa, HI 96778

Ms. Donna Gruner
P. O. Box 57
Pahoa, HI 96778

Mailing of
Contested Case Procedure

- ① MOANIKEALA AKAKA
PO Box 91 - KURTISTOWN,
- ② S.N. Merereau
PO Box 963
Pahoa HI 96778 1088A
Margaret Stevens
Box 1651
Pahoa, 96778
SUSAN ORLANDO
PO BOX 448
PAHOA, HI 96778
- ③ F.C. Dible
P.O. Box N-300
Pahoa, Hi.
96778
④ Peter A. Lindemann
P.O. Box 1126
Hilo, Hi. 96720
- ④ JAMES WOODRUFF
DPED
250 S. KING
HONOLULU, HI. 96804
- ⑤ Joel Lamb
P.O. 1619
Pahoa, Hi 96778
Everett Sunny Kinney
P.O. Box 611
PAHOA, HI 96778

REQUEST TO BE ADMITTED AS A "PARTY"

TO THE GFDCO GEOTHERMAL SPECIAL

PERMIT APPLICATION -- June 30, 1980

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
① SUSAN ORLANDO	PO BOX 448 PAHOA HI 96778	MYSELF
② MARGARET STEVENS	Box 1651 PAHOA 96778	"
③ JOSEPH HOGYE	Box 1682 PAHOA 96778	"

PLEASE PRINT LEGIBLY. THE PLANNING DEPARTMENT WILL BE SENDING
YOU APPROPRIATE INSTRUCTIONS REGARDING THE CONTESTED CASE PROCEDURES.

REQUEST TO BE ADMITTED AS A "PARTY"

TO THE GEDCO GEOTHERMAL SPECIAL PERMIT

APPLICATION -- June 30, 1980

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
① Glenn Gold	Box 911 Pahoa 96778	Kauaean Com Assn.
② Philip Caporusso	PO Box 1148 Pahoa	
③ Reverend Jerry Kurey	PO Box 611, Pahoa	Peena Hui Oloane
Donna Gruner	Box 57, Pahoa 96778	

PLEASE PRINT LEGIBLY. THE PLANNING DEPARTMENT WILL BE SENDING
YOU APPROPRIATE INSTRUCTIONS REGARDING CONTESTED CASE PROCEDURES.

July 3, 1980

Mr. E. C. Craddick, President
Geothermal Exploration and Development Corp.
2828 Paa Street, Suite 2035
Honolulu, HI 96819

Dear Mr. Craddick:

Special Permit Application
Tax Map Key 1-4-02:10

The Planning Commission at its regular meeting of June 30, 1980, considered your application for a Special Permit to allow the exploratory drilling of a maximum of nine wells on 180+ acres of land situated within the State Land Use Agricultural District.

As there were some members of the public who expressed interest in a contested case procedure, the Commission voted to continue the public hearing to allow them an opportunity to submit by July 18, 1980, their request to be a "party" with statements of their interest, position and reasons and a letter of authorization from an appropriate officer of the organization they represent, along with a copy of their charter and by-laws.

We shall notify you when your application is again placed on the Planning Commission's agenda. In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

John Whitman

gov William J. Paris, Jr.
Chairman, Planning Commission

smn

cc: Hiromu Yamanaka
Jack Keppler

EXHIBIT EE JUL 5 1980

July 14, 1980

Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Chairman and Commission Members:

RE: Application of Geothermal Exploratory
Development Corp. for a Special Permit to
Allow the Exploratory Drilling of a Maximum
of Nine Wells on Land Situated within the State
Land Use Agricultural District in Puna, Hawaii

In part, the purpose of this letter is to request a contested case hearing for the above matter; and also to supply you with the enclosed information to show that I am a qualified "interested party".

During my participation at the public hearing held on June 30, 1980 I mentioned that I am a property owner and resident of Leilani Estates. Enclosed you will find a xeroxed copy of a portion of my Deed showing in fact that I own said property.

Leilani Estates is a subdivision which is next to and upwind of the existing well and the proposed nine wells. From that existing well site and the proposed sites to my property, sounds are audible and odors apparent due to the nature of the prevailing winds and topography. My husband and I purchased our Leilani Estates property over two years ago because we were attracted to the tranquillity and serenity of the area. It represented that which is Hawaii and beautiful. The inclusion of twenty four hour a day drilling and the possibility of sulphur smells is in direct conflict with the lifestyle of our peaceful, quiet neighborhood.

Obviously, my position is that I recommend that the application sought by the Geothermal Exploratory Development Corp. be denied.

This concludes my short statement of position and supportive reasons. I am looking forward to hearing from you.

Respectfully,



Susan Orlando

P.O. Box 448

EXHIBIT FF



182650

RECORDATION REQUESTED BY:

STATE OF HAWAII
BUREAU OF CONVEYANCES

LIBER 12927 PG 274

78 JUN 1 4 3: 01

78- 53139

AFTER RECORDATION, RETURN TO:

RSM, Inc.
P.O. BOX 747
HILO, HAWAII 96720

RETURN BY: MAIL (✓) PICKUP ()

SPACE ABOVE THIS LINE FOR REGISTRAR'S USE

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that DENIS E. WARD, unmarried, whose residence and post office address is 6114 Secor Road, Toledo, Ohio 43613, hereinafter called the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to him in hand paid by FERDINANDO ORLANDO and SUSAN WOLF ORLANDO, husband and wife, whose residence and post office address is 263 Hillcrest Drive, Leucadia, California 92024, hereinafter called the GRANTEES, receipt of which sum is hereby acknowledged, has sold and does hereby bargain, sell, assign, grant and convey unto the said Grantees, all of the following described property:

All of those certain parcels of land situate at Keahialaka, Puna, Island and County of Hawaii, State of Hawaii, being more particularly described in Exhibit A attached hereto and made a part hereof, subject, however, to the encumbrance noted therein, which parcels are designated on the tax maps of the Third Taxation Division, State of Hawaii, as Tax Map Key Nos. 1-3-12-42 and 1-3-12-41.

TOGETHER with all and singular the rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

STATE OF HAWAII
BUREAU OF CONVEYANCES
HAWAII
JUN 1 1978
10:00 AM

000108
65117215-124220



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

Kamamalu Building, 250 South King St., Honolulu, Hawaii • Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

GEORGE R. ARIYOSHI
Governor

HIDETO KONO
Director

FRANK SKRIVANEK
Deputy Director

July 16, 1980

Mr. William J. Paris, Jr., Chairman
Hawaii County Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Paris:

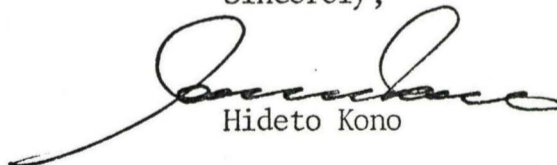
Subject: Application of Geothermal Exploratory Development Corporation for a Special Permit to Allow the Exploratory Drilling of a Maximum of Nine Wells on Land Situated within the State Land Use Agricultural District in Puna, Hawaii.

In response to your letter of July 2, 1980, to Mr. James Woodruff on the above subject as it may relate to a "contested case" proceeding, this is to notify you that this Department requests that it be admitted as a party to the case. Mr. Woodruff is hereby authorized to represent me in the proceedings.

In addition to being the Director of this Department, I am also the State's Energy Resources Coordinator as established by Chapter 196, HRS, as amended. A copy of that Chapter is attached for your review. Thus, my functions in the development of alternative energy resources prescribe more interest in the case than would normally accrue to a member of the general public. I have been actively involved in the development of geothermal resources located in the County of Hawaii for a number of years.

Thank you for your consideration of this request.

Sincerely,



Hideto Kono

HK: aeh

Attachment

EXHIBIT GG



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT

Kamamalu Building, 250 South King St., Honolulu, Hawaii • Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

GEORGE R. ARIYOSHI
Governor

HIDETO KONO
Director

FRANK SKRIVANEK
Deputy Director

July 14, 1980

Mr. William J. Paris, Jr.
Chairman, Hawaii County
Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Paris:

I attended the Planning Commission hearing on June 30, 1980 regarding the application of the Geothermal Exploration and Development Corporation for a special permit to allow the exploratory drilling of wells within the State Land Use Agricultural District in Puna, Hawaii.

At that hearing I testified as a representative of the Dept. of Planning and Economic Development in support of the application in accordance with the State's desire to explore and develop natural energy resources.

I am now responding to your letter indicating that a contested case hearing may be held.

In the event of such a hearing, I would like to continue to offer the support of DPED with authorization by the Director, Hideto Kono, for this type of energy research. As in the June 30 hearing, I would also be willing to offer technical information to clarify the issues.

Thank you for this opportunity to participate.

Sincerely,

James L. Woodruff
Project Manager
Geothermal Energy
Commercialization Program

JLW/1g

EXHIBIT

Sec. 193-23

CONSERVATION AND RESOURCES

PART III. YOUTH EMPLOYMENT PROGRAM

§193-23 Personnel laws; applicability. The provisions of chapters 76 to 80, 85, and 88, except the requirements for loyalty oath as contained in section 85-32 and except provisions of state law relating to the application of the Social Security Act of the United States to the extent that the Act shall be applicable under the federal law establishing the youth programs, shall not apply to persons employed under this part. [L 1963, c 74, §11; Supp, §98N-24; HRS §193-23; am L 1979, c 105, §17]

Amendment Note

L 1979 deleted references to chapter "86", section "85-6", and "personal history statement".

[CHAPTER 196
ENERGY RESOURCES]

SECTION

196-3 ENERGY RESOURCES COORDINATOR

196-4 POWERS AND DUTIES

[196-5] GAS APPLIANCES WITH PILOT LIGHT PROHIBITED; EXEMPTIONS

§196-3 Energy resources coordinator. The director of planning and economic development shall serve as energy resources coordinator. [L 1974, c 237, §3; am L 1978, c 136, §1]

Amendment Note

L 1978 amended section generally. Previously it provided for the appointment of a coordinator.

§196-4 Powers and duties. Subject to the approval of the governor, the coordinator shall:

- (10) Review proposed state actions which he finds to have significant effect on energy consumption and report to the governor their effect on the energy conservation program, and perform such other services as may be required by the governor and the legislature;
- (11) Prepare and submit an annual report and such other reports as may be requested to the governor and to the legislature on the implementation of this chapter and all matters related to energy resources; and
- (12) Adopt rules for the administration of this chapter pursuant to chapter 91, provided that the rules shall be submitted to the legislature for review. [am L 1978, c 136, §2]

Revision Note

Only the paragraphs affected are included in this Supplement.

Amendment Note

L 1978 added paragraph (12) and made nonsubstantive changes in paragraphs (10) and (11).

[§196-5] Gas appliances with pilot light prohibited; exemptions. (a) No new residential type gas appliance that is equipped with a pilot light shall be sold

CONSERVATION-RESOURCES ENFORCEMENT Sec. 199-1

or installed in the State after June 30, 1980. Gas appliances sold after June 30, 1980 shall be equipped with an intermittent ignition system or other ignition devices in lieu of gas pilot lights.

(b) Beginning ninety days after [May 30, 1978], the energy resources coordinator or its successor entity shall notify, in writing, all retail sellers of gas appliances doing business in the State of the provisions of this section.

(c) The provisions of this section shall not apply to any hot water heaters with pilot lights or to any gas appliance which can be conclusively demonstrated by the equipment manufacturer, to the satisfaction of the energy resources coordinator or its successor entity, that the gas pilot device in the appliance:

- (1) Has a substantial lower life cycle cost than an electric ignition or other alternate ignition system;
- (2) Is more energy efficient than available alternatives; or
- (3) Is necessary to safeguard public health and safety.

(d) The provisions of this section shall not apply to people living in areas that are served with unreliable electric service or where it is not available.

(e) As used in this section:

- (1) "Gas appliance" includes any new residential type heater, refrigerator, stove, range, dishwasher, dryer, air conditioner, decorative fireplace, or other similar devices;
- (2) "Intermittent ignition device" means an ignition device which is activated only when the gas appliance is in operation; and
- (3) "Pilot light" means any gas operated device that remains continually operated or lighted in order to ignite a gas appliance to normal operation. [L 1978, c 137, §2]

Sec. 195D-10 CONSERVATION AND RESOURCES

thereto be for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this chapter or regulation or rule promulgated pursuant thereto. [L 1975, c 65, pt of §1]

**[CHAPTER 196
ENERGY RESOURCES]**

SECTION

[196-1]	FINDINGS AND DECLARATION OF NECESSITY
[196-2]	DEFINITIONS
[196-3]	ESTABLISHMENT OF ENERGY RESOURCES COORDINATOR
[196-4]	POWERS AND DUTIES

[\\$196-1] Findings and declaration of necessity. The legislature finds that:

- (1) There is widespread shortage of petroleum and its derivatives which has caused severe economic hardships throughout the State and which threatens to impair the public health, safety and welfare.

The current energy crisis is caused by a global energy shortage which will worsen through the remainder of this decade and may continue to the end of this century. The State of Hawaii, with its total dependence for energy on imported fossil fuel, is particularly vulnerable to dislocations in the global energy market. This is an anomalous situation, as there are few places in the world so generously endowed with natural energy: geothermal, solar radiation, ocean temperature differential, wind, waves, and currents – all potential non-polluting power sources.

- (2) There is a real need for comprehensive planning in the effort towards achieving full utilization of Hawaii's energy resource programs and the most effective allocation of energy resources throughout the State. Planning is necessary and desirable in order that the State may recognize and declare the major problems and opportunities in the field of energy resources. Both short-range and long-range planning will permit the articulation of broad policies, goals, and objectives; criteria for measuring and evaluating accomplishments of objectives; identification and implementation of programs which will carry out such objectives; and a determination of requirements necessary for the optimum development of Hawaii's energy resources. Such planning efforts will identify present conditions and major problems relating to energy resources, their exploration, development, production, and distribution. It will show the projected nature of the situation and rate of change and present conditions for the foreseeable future based on a projection of current trends in the development of energy resources in Hawaii.
- (3) There are many agencies of the federal, state, and county governments in Hawaii, as well as many private agencies, engaged in, or expressing an interest in, various aspects of the exploration, research, distribution, conservation, and production of all forms of energy resources in Hawaii. Some of these agencies include the University of Hawaii, the department of land and natural resources, the department of planning and economic development, the consumer protection, the federal energy office, and various county agencies, as well as the oil companies, gas stations, and other private enterprises.

ENERGY RESOURCES

Sec. 196-4

- (4) There is immediate need to coordinate the efforts of all these agencies, establish and coordinate programs to effectuate the conservation of fuel, to provide for the equitable distribution thereof, and to formulate plans for the development and use of alternative energy sources. There is a need for such coordination so that there will be maximum conservation and utilization of energy resources in the State. [L 1974, c 237, §1]

[§196-2] Definitions. As used in this chapter, unless the context requires otherwise:

- (1) "Coordinator" means the energy resources coordinator.
- (2) "Energy resources" means and includes fossil fuel, nuclear, geothermal, solar, hydropower, wind, and other means of generating energy. [L 1974, c 237, §2]

[§196-3] Establishment of energy resources coordinator. The position of energy resources coordinator is established in the office of the governor. The governor shall appoint and remove the coordinator, who shall not be subject to chapters 76 and 77. The salary of the coordinator shall be set by the governor and shall not be more than the salaries of department heads as prescribed in section [26-52(3)]. The coordinator shall be included in any benefit program generally applicable to the officers and employees of the State. [L 1974, c 237, §3]

Revision Note

Reference to "26-52(3)" substituted for "26-52(2)" to correct clerical error.

[§196-4] Powers and duties. Subject to the approval of the governor, the coordinator shall:

- (1) Formulate plans, including objectives, criteria to measure accomplishment of objectives, programs through which the objectives are to be attained, and financial requirements for the optimum development of Hawaii's energy resources;
- (2) Conduct systematic analysis of existing and proposed energy resource programs, evaluate the analysis conducted by government agencies and other organizations and recommend to the governor and to the legislature programs which represent the most effective allocation of resources for the development of energy sources;
- (3) Formulate and recommend specific proposals, as necessary, for conserving energy and fuel, including the allocation and distribution thereof, to the governor and to the legislature;
- (4) Assist public and private agencies in implementing energy conservation and related measures;
- (5) Coordinate the State's energy conservation and allocation programs with that of the federal government, other state governments, governments of nations with interest in common energy resources, and the political subdivisions of the State;
- (6) Develop programs to encourage private and public exploration and research of alternative energy resources which will benefit the State;

Sec. 196-4

CONSERVATION AND RESOURCES

- (7) Conduct public education programs to inform the public of the energy situation as may exist from time to time and of the government actions taken thereto;
- (8) Serve as consultant to the governor, public agencies and private industry on matters related to the acquisition, utilization and conservation of energy resources;
- (9) Contract for services when required for implementation of this chapter;
- (10) Review proposed state actions which he finds to have significant effect on energy consumption and report to the governor their effect on the energy conservation program, and perform such other services as may be required by the governor and the legislature; and
- (11) Prepare and submit an annual report and such other reports as may be requested to the governor and to the legislature on the implementation of this chapter and all matters related to energy resources. [L 1974, c 237, §4]



PUNA HUI OHANA
A Non-Profit Tax Exempt
Organization

P.O. BOX 611
PAHOA, HAWAII 96778
PHONE: 965-9140

July 18, 1980

Received from the Puna Hui Ohana contents of:

1. Letter to Mr. William J. Paris Jr. Chairman
Hawaii County Planning Commission
2. Resolution
3. Testimony, Puna Hui Ohana
4. Petition for Charter
5. By-laws of Puna Hui Ohana
6. Puna Hui Ohana's December-March Newsletter
7. Symposium Program

Signed

Laura Viviano

Dated

7/18/80

EXHIBIT HH



PUNA HUI OHANA
A Non-Profit Tax Exempt
Organization

P.O. BOX 611
PAHOA, HAWAII 96778
PHONE: 965-9140

July 17, 1980

Mr. William J. Paris, Jr., Chairman
Hawaii County Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Paris,

Petition for Interested Party Intervention in
the Contested Hearing in the matter of:

Application of Geothermal Exploratory Develop-
ment Corporation for a Special Permit to Allow
the Exploratory Drilling of a Maximum of Nine
Wells on Land Situated within the State Land
Use Agricultural District in Puna, Hawaii

The Puna Hui Ohana, with regard to the above-noted matter, respectfully petitions the Hawaii County Planning Commission for approval of this, its application seeking "interested party" status; granting it the right to intervene, on behalf of its members, in the "contested hearing" regarding the GEDCO application for a special use permit to drill a maximum of nine wells on the Seiko Daiichi property as set forth in the aforementioned application.

- (1) Puna Hui Ohana: Formed by aboriginal Hawaiians of lower Puna, the Puna Hui Ohana is a non-profit tax-exempt community. It serves as an umbrella organization providing leadership and guidance for its member groups. Created to help Hawaiians recognize their problems the Hui provides a decision-making organization to address problem resolu-

EXHIBIT

tion, particularly the economic and political barriers preventing the Hawaiians from achieving the independence and self-sufficiency once enjoyed by their ancestors.

While the primary objective of the Hui involves assessing the Hawaiian community's needs and generating appropriate corrective programs a second important objective concerns the preservation and perpetuation of traditional Hawaiian culture. In its contemporary role the Hui acts as an important forum for discussion and decision-making on Hawaiian-oriented issues such as "native claims" legislation, and the over-all environmental impact of geothermal energy development in Puna.

Activated with help from the Queen Liliuokalani Trust Fund the Hui has been continuously active in Hawaiian problems since 1971. Some prior and present projects include:

- a. Puna Mikana
- b. Reading Improvement Project, Pahoa Elementary School
- c. Pahoa School VISTA Project
- d. Pahoa School Tutoring Project
- e. Hawaiian Language and Culture Classes.
- f. Scholarship
- g. Out of Community Interaction
- h. Hawaiian Cultural Center
- i. Kalapana Recreational Program
- j. Kumaka Ula Canoe Club

The Hui has taken an active role with respect to geothermal exploration and development in Puna. It vigorously sought membership and representation on governmental planning institution demanding an opportunity to participate in the preliminary planning process. Currently the Hui is represented on the State's Geothermal Advisory Council, the Geothermal Legis-

lative Subcommittee and the Hawaii County Energy Commission. The Hui recently received a \$50,000 research grant from the Department of Energy, United States, for its project "The Assessment of the Socio-cultural Impact on an Aboriginal Hawaiian Population as a Result of Geothermal Development". The project's methodology is unique to the extent it will manage and employ the consultant staff to make the study.

Hui policy and direction is established by a 12-member Board of Directors equally representing each umbrella organization. An advisory group composed of representatives from Alu Like, Native Programs, QLCC, University of Hawaii-Hilo faculty, Native Hawaiian Legal Corporation and community elders further guides the Board activities. Current full-time staff includes a ^{research project director} ~~community aide~~ and ^{two} ~~secretaries~~. The Hui maintains an office in Pahoia which also serves as a central communication point. The real strength of the Puna Hui Ohana lies in its communication with the widely scattered areas of lower Puna where the daily activities of the community are carried out. It is the Hui's relationship and credibility at the grass roots level that makes it uniquely qualified to carry out the proposed project.

The Hui has, in view of its tax-exempt status solicited funds from private donors, foundations, trusts and various government agencies. Today the Puna Hui Ohana through its umbrella organization which includes: (1) the Hawaiian Parents Society- education and monitoring the School, (2) Puna Hawaiian Organization- cultural preservation and scholarship program, (3) Hui Opio- youth programs, ages 10-18, and (4) Young Hawaiians of Puna- skills training, family maintenance,

enjoys the respect of other community groups. It represents one of the few well-established Hawaiian planning groups. Its credibility and achievements reflects a strong desire among its member groups to improve the social and economic condition of the Hawaiian population in lower Puna, concomitant with the over-all growth of the total community.

On the basis of the foregoing discussion and with the inclusion and representation of Ohana members who are ~~above~~^{OWNERS} of property in the Opihikao and Pohoiki areas where development of geothermal resources is likely to occur, the Puna Hui Ohana declares that its interests, in representing the Hawaiian members of the community, are "highly distinguishable" and above that^{of} the general public.

(2) Resolution: (see attached)

(3) Statement of Position: The interests of the Puna Hui Ohana and the interests of members of the Puna Hui Ohana who owns property in the proximity of the proposed wells are hereby addressed in addition to testimony presented by Everett Kinney on behalf of the Hui Ohana at an earlier Planning Commission meeting dated July 2, 1980. The Hui also wishes to point out additional concerns connected in GEDCO's "Annex to Special Use Applications" that appear to be related to earlier Hui testimony and are a further evidence of possible planning deficiencies affecting the rights of the Hui Ohana. They begin as follows:

- A-1: The furtherance of needs and objectives of the public interests are not clearly defined or documented in County planning.
- A-2: The needs and objectives of the Land Use Law and Regulations and the public interests in the State have not been defined to the extent it is compatible with the affected community's concerns.
- A-3,4: The granting of a special use permit determining the quality and extent of geothermal resources available, investigates that ability without a clear planning program looking at peripteral impacts.
- A-5: Admittedly the proposed well may add significantly to existing knowledge but may also add significantly to environmental problems caused by production activity.
- B-6,7: The assertion of minimal, if any, adverse effect on surrounding property, therefore inferring maximum net benefits, may have a broader future impact on the community than can be now seen where overall planning is minimal.
- B-8,9: Strict confinement of operations to an area of three acres including access road is misleading in that it does not discuss movement on present highway system in area, further testing crowded conditions.
- B-10: The impact of normal operating sounds, at this time can only be compared to noises emanating from the Kali'u project---a greater concern is the operations undertaken at night, in the "dead of night", where

noises never existed before.

C-11: That the public agencies not required to provide services now, may be severely tested at a later period, as a result of a lack of objective use designations, envisioned in the planning processes.

C-12: Energy prospects to be consumed off the site as well as a self-supporting use of surrounding lands represent perhaps the greatest possible impacts on Hawaiian interests as well as those of the general community.

D-13: The seriousness of the energy crisis and the knowledge of geothermal resource available greatly increase the need to review official uses of land and the government's need to act in this area becomes all the more apparent in terms of sound community growth.

E-14: The rural-agricultural context of the surrounding and nominated land cannot be said to benefit in terms of extensive improvement and production. The opposite may be the case as is evidenced by geothermal developments in other areas.

E-15: The area may not be the least desirable from the standpoint of agricultural operations. Heavy planting of papaya's occur in nearby lands and unless clearly defined, loss of such lands could imperil possible plans for increased papaya production to meet a papaya processing operation using direct steam, thus limiting future community commitments to

entrepreneurial equity.

F-16: Future agricultural use of the land nominated may in fact, be precluded due to possible vegetation stress caused by heat emanation and chemical effluent.

Planning criteria reinforcing this assertion is seen as necessary to maintain agricultural use. Complexes in New Zealand the Geysers indicate agricultural preclusion is a ^{and} greater possibility.

G-17: The Ohana agrees with plans for self-sufficiency and independence from fossil fuel domination and understands the benign characteristics of geothermal energy but ^{is} cautions against exploitation of the resource and the over-all damage to the social and economic landscape of the area.

H-18: The Puna Hui Ohana sees the preservation of historic sites and the protection of endangered species as meaningful to all the people of the community and is concerned that, to its knowledge, local participation in such investigation have been grossly inadequate.

H-19: The policy of the County regarding the development of power for the use of County consumers is not clear with regard to development of resource over and above the current needs. The extensiveness of the exploratory planning, in the absence of County Geothermal Planning, seems to point to resource development in surplus of needs. If this is so then the affected community and the County should be so informed and those planning processes be undertaken in pursuit

of this objective with the advice and consent of the general community.

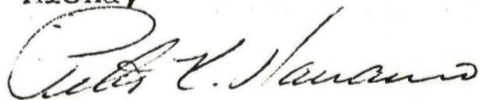
Additionally, in concluding its statement^{of} reasons and interests for intervention in the application under the consideration, the Puna Hui Ohana in reference to current research project, calls attention to the concerns among lower Puna residents about how development will affect the lifestyles. All of the foregoing items are brought forward with the understanding that the following items will be measurably impacted:

- a. Lifestyle and values
- b. Physical, social/cultural systems
- c. Community solidarity and integrity
- d. Traditional communication networks and gathering places
- e. Community input in the planning process
- f. Development of geothermal attitudes
- g. Economic activity
- h. Work and Recreational routines

In conclusion the Puna Hui Ohana sincerely appreciates this opportunity to intervene in the application of GEDCO for a Special Land Use Permit^{and} will seek a constructive attitude towards reaching and resolving "the contested hearing" to the best interests of all the parties involved. We therefore respectfully request approval of our application.

Mahalo a nui loa and,

Aloha,



Peter K. Hauanio, President
Puna Hui Ohana



PUNA HUI OHANA
A Non-Profit Tax Exempt
Organization

P.O. BOX 611
PAHOA, HAWAII 96778
PHONE: 965-9140

99-0166065

RESOLUTION

Resolved:

That the Board of Directors of the Puna Hui Ohana, in recognition of the long-term interests of its members and the fulfillment of the objectives duly set forth in its by-laws, does authorize Everett "Sonny" Kinney, and others its President Peter Hauanio may so designate to negotiate and pursue in its behalf, a denial by the Hawaii County Planning Commission, of an application before the Commission by Geothermal Exploration and Development Company for a special use permit to drill a maximum nine wells geothermal-steam in Lower Puna.

Be it further resolved that Everett "Sonny" Kinney and President Peter Hauanio are hereby authorized to locate and enlist any witness whom they feel will confirm the Hui's allegation's and its request for denial of the special use permit.

Signed

Peter K. Hauanio
President, Board of Directors
Puna hui Ohana

July 17, 1980

EXHIBIT

TESTIMONY, PUNA HUI OHANA

On The Matter Of The
Application Of CEDCO For
A Special Use Permit Before
The Planning Commission

Gentlemen, my name is Everett Kahiliokalani Sonny Kinney. I am here representing the Puna Hui Ohana a Hawaiian Organization from Pahoehoe. May I state at this time that the Hui intends to pursue its right as an interested party should the occasion arrive making it necessary to do so.

The Hui has examined the application and the site in question and herewith addresses the following point of concern. We will at a later date provide the objective evidence reinforcing the points listed below which are:

1. Spatial and areal organization (well location)
 - a. Location and distance from boundaries---is it adequate? How does it affect the adjoining property??
 - b. Distance between wells---is this adequate or safe?
2. Well spacing/allocation per acre.
 - a. Over-all proliferation---dependent on spacing allocations criteria which are not clearly defined.
 - b. Resource depletion---too many wells per acre prematurely draining resource.
3. Proximity to residential zone, distance.
 - a. Lanipuna---appears to be across the road.
 - b. Leilani---people should have rights to protection from well incursion near the residences.
4. Incremental stages of development.
 - a. In relation to peripheral development---what are

EXHIBIT

- a. plans for surrounding property.
 - b. Nature of the increment---will it interfere with current zoning, people in the community should be aware of the connectivity of incremental stages.
5. Absence of long-range plan.
- a. Geothermal zone designation---residents must know how they are affected in or out of the zone and limitation of development to that zone.
 - b. Location of generator plants---how many, where, rate of MW production, fit in with topography.
 - c. Pipe corridor determination---should not be allowed to indiscriminately criss-cross the terrain.
 - d. Power transmission corridor---should be orderly and should not damage the integrity and visual vista of the geothermal zone or its peripheral.
 - e. Transformer collection base---should be located where least objectionable.

In short, trips to the Wairakei and Geysir geothermal complexes have indicated we cannot allow ourselves to make similar mistakes.

6. Precedent for other large developers---encouragement leading to development!
- a. Amfac
 - b. Bishop Estate
 - c. Tokyo Land Co.

7. Political Jurisdiction

- a. DLNR permitting process
- b. County permitting process

We are not totally aware of changes in the permitting processes and are concerned with jurisdictional overlap loops that are not fully understood and enforced.

8. Siting and Access

- a. Roads, existing and planned.
- b. In relationship to geothermal zone---can a road plan be successfully developed if the geothermal zone has not been accurately designed.

9. Primary definitions, extension of special use.

- a. What is an exploratory well?--Why nine or ten wells in the designated area, is it necessary? When is an exploratory well not an exploratory well but a production well?
- b. What is a production well--if first well is productive. Why drill an additional nine wells, is that necessary prior to candidate uses?

10. Land use patterns, long-range

- a. Identify existing land uses---How does discovery of geothermal resource change peripheral land uses?
- b. Organizations of land use by ownership, location and size---patterns of Land assembly for developmental purposes. The people must know how patterns

of assembly are changing or leading to geothermal or economic development.

11. Preclusion of agricultural use

- a. Not as claimed in application---according to visits to the Geysers and New Zealand that is not the case; chemical effluents (airborne) cause vegetetational stress and are a constraint to agricultural continuance in the immediate area.

Gentlemen, having set before the commission the foregoing points, the Puna Hui Ohana herewith recommends, in the light of the conditional status of these points, that the Planning Commission deny the applicant's request for a special use permit.

IN THE OFFICE OF THE DIRECTOR OF REGULATORY AGENCIES
STATE OF HAWAII

In the Matter of a Petition)
for Charter of Incorporation)
of)
PUNA HUI OHANA)
_____)

RECEIVED
BUSINESS REGISTRATION
DIVISION
MAY 24 9 47 AM '76
DEPARTMENT OF
REGULATORY AGENCIES
STATE OF HAWAII

PETITION FOR CHARTER

TO THE HONORABLE DIRECTOR OF REGULATORY AGENCIES, STATE
OF HAWAII:

Your petitioners, PETER HAUANIO, BENJAMIN
HAUANIO, and SIMEON ENRIQUEZ, SR., all residents of the
State of Hawaii, being desirous of forming a non-profit
corporation for themselves and their associates, pursuant
to the provisions of Section 416-20, Hawaii Revised
Statutes, pray that a Charter of Incorporation be granted
to them and their associates, whereby they and their
associates may be made a body corporate of the State of
Hawaii under the name of PUNA HUI OHANA, with all of the
rights, powers, privileges and immunities granted by law
to corporations of this character and with all the duties,
obligations and restrictions imposed by law upon such
corporations, and in support of this petition, hereby
respectfully submit a proposed form of Charter of Incorporation,
all of the terms whereof are by reference thereto
hereby incorporated in and made a part of this petition.

EXHIBIT

IN WITNESS WHEREOF, your petitioners have
hereunto subscribed their names on this 30th day of
April, 19 76.

Peter Hauanio
PETER HAUANIO

Benjamin Hauanio
BENJAMIN HAUANIO

Simeon Enriquez, Sr.
SIMEON ENRIQUEZ, SR.

STATE OF HAWAII)
) SS.
COUNTY OF HAWAII)

PETER HAUANIO, BENJAMIN HAUANIO, and SIMEON ENRIQUEZ, SR., being first duly sworn on oath, depose and say that they are the petitioners named in and who have signed the foregoing Petition; that they have read the Petition, know the contents thereof and the same are true.

Peter Hauanio
PETER HAUANIO

Benjamin Hauanio
BENJAMIN HAUANIO

Simeon Enriquez, Sr.
SIMEON ENRIQUEZ, SR.

Subscribed and sworn to before me
this 30th day of April, 19 76.

Rudolph C. Lopez
Notary Public, Third Judicial
Circuit, State of Hawaii

My commission expires: 4/18/78

IN THE OFFICE OF THE DIRECTOR OF REGULATORY AGENCIES
STATE OF HAWAII

In the Matter of a Petition)
for Charter of Incorporation)
of)
PUNA HUI OHANA)
_____)

CHARTER OF INCORPORATION

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, PETER HAUANIO, BENJAMIN HAUANIO, and SIMEON ENRIQUEZ, SR., all of whom are residents of the State of Hawaii, have made application to me, as Director of Regulatory Agencies of the State of Hawaii, to grant a Charter of Incorporation to them and their associates, in accordance with Section 416-20 of the Hawaii Revised Statutes;

NOW, THEREFORE, I, WAYNE MINAMI, Director of Regulatory Agencies of the State of Hawaii, in the exercise of all power and authority enabling me to act in this behalf, do hereby constitute the above-named persons and their associates as a body corporate, and confer upon them the following charter:

I

Name

The name of this corporation shall be PUNA HUI
OHANA.

Location

The location and principal and initial address of the corporation shall be P. O. Box 611, Paho, Hawaii, 96778.

III

Purposes

The PUNA HUI OHANA is organized exclusively for charitable purposes, including through charitable means:

1. The relief, the advancement of education and job training, and the removal of barriers to the social, cultural, educational, occupational, economic, physical, emotional, and spiritual well-being of the poor, distressed, disadvantaged, or underprivileged individuals, with preference given to individuals of native Hawaiian ancestry ("native Hawaiian" herein defined as any descendant of the races inhabiting the Hawaiian Islands previous to the year 1778);
2. The preservation and perpetuation of traditional native Hawaiian values and lifestyles;
3. The defense of human, civil, and native rights secured by law;
4. The lessening of neighborhood tensions;
5. The combating of community deterioration;

IV

Duration

The duration of this corporation shall be perpetual.

V

Officers and Directors

(a) The business and affairs of the corporation shall be managed by a Board of Directors consisting of not

less than three (3) persons. The initial directors of the corporation and their residence addresses are as follows:

<u>Name</u>	<u>Residence Address</u>
PETER HAUANIO	P. O. Box 10 Pahoa, Hawaii 96778
MABEL MAKUAKANE	P. O. Box 332 Pahoa, Hawaii 96778
ROSE KEALOHA	P. O. Box 217 Pahoa, Hawaii 96778
SIMEON ENRIQUEZ, SR.	P. O. Box 216 Pahoa, Hawaii 96778
FRANK RAMOS	P. O. Box 779 Pahoa, Hawaii 96778
BENJAMIN HAUANIO	P. O. Box 181 Pahoa, Hawaii 96778
MAY KAMELAMELA	P. O. Box 324 Pahoa, Hawaii 96778
LOUISE KAMANU	P. O. Box 126 Pahoa, Hawaii 96778
CHERYL HEPA	P. O. Box 121 Pahoa, Hawaii 96778

The qualifications and manner of election of the directors shall be as set forth in the Bylaws of the corporation.

(b) The officers of the corporation shall consist of such officers as shall be provided for in the Bylaws, with such qualifications, duties and powers as are provided for therein. The initial officers of the corporation and their residence addresses are as follows:

<u>Title</u>	<u>Name</u>	<u>Residence Address</u>
Chairman	PETER HAUANIO	P. O. Box 10 Pahoa, Hawaii 96778
Vice-Chairman	FRANK RAMOS	P. O. Box 779 Pahoa, Hawaii 96778
Secretary	ROSE KEALOHA	P. O. Box 217 Pahoa, Hawaii 96778
Treasurer	MABEL MAKUAKANE	P. O. Box 332 Pahoa, Hawaii 96778

VI

Members

The authorized number and qualifications of members of this corporation, the different classes of members, if any, the property, voting and other rights and privileges of each class of membership, and the liability of each or all classes for dues or assessments and the method of collection thereof, shall be set forth in the Bylaws of this corporation.

VII

Dissolution

The corporation is not organized for profit, it will not issue any stock, and no part of its assets, income, or earnings, shall be distributed to its members, directors, or officers, except for services actually rendered to the corporation. Upon dissolution, all of the assets of the corporation after payment of, or provision for payment of, its just debts shall be transferred or distributed to an organization or organizations as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954.

VIII

Bylaws

The initial Bylaws of the corporation shall be adopted by the incorporators at an initial meeting of the incorporators to be held within thirty (30) days from the date of granting of the Charter of Incorporation.

IN WITNESS WHEREOF, I have hereunto set my
hand and caused the official seal of the Office of the
Director of Regulatory Agencies of the State of Hawaii
to be hereunto affixed this 2nd day of June,
19 76.

Wayne Minami

WAYNE MINAMI
Director of Regulatory Agencies
State of Hawaii

By *James H. Sullivan*
Corporation & Securities Administrator

1 BYLAWS

2 of

3 PUNA HUI O'HANA

4 I.

5 NAME

6 This corporation shall be known as the PUNA HUI O'HANA, INC.,
7 (herein referred to as "Hui"). The name "Puna Hui Ohana" is to be
8 translated as "Puna Family Society".

9 II.

10 OFFICE

11 The location of the principal office of the Hui shall be in
12 Pahoa, P.O. Box 611, County of Hawaii, State of Hawaii. It may have
13 such other or branch offices in such place or places within the State
14 of Hawaii or elsewhere as may be necessary for transacting the affairs
15 or in furthering the purposes of the corporation.

16 III.

17 PURPOSES

18 The Hui is organized exclusively for charitable purposes, including
19 through charitable means:

20 1. The relief, the advancement of education and job training, and
21 the removal of barriers to the social, cultural, educational,
22 occupational, economic, physical, emotional, and spiritual well being of
23 the poor, distressed, disadvantaged, or underprivileged individuals,
with preference given to individuals of aboriginal Hawaiian ancestry
("aboriginal Hawaiian" herein defined as any descendant of the races
inhabiting the Hawaiian Islands previous to the year 1778).

EXHIBIT

48 member at least three days before the day set for such meeting. A
 49 written notice may be given to each member in any of the following ways:
 50 (a) by leaving the notice with the member personally or at his residence
 51 or usual place of business; or, (b) by mailing the notice, postage pre-
 52 paid, addressed to the member at his address as it appears on the member-
 53 ship roster. If the written notice is given pursuant to the provisions
 54 of this section, the failure of any member to receive it in fact shall
 55 in no way invalidate the meeting or any proceedings thereat. At any
 56 special meeting, no business other than that stated in the notice shall
 57 be transacted.

58 4. Quorum. Members present shall constitute a quorum at any
 59 meeting of the members. The members present at a duly organized meeting
 60 may continue to transact business until adjournment.

61 5. Voting. When a quorum is present at any meeting, members
 62 entitled to vote who are present, shall decide any question brought before
 63 such meetings, unless otherwise required by law of these bylaws. There
 64 shall be no voting by proxy.

VI.

BOARD OF DIRECTORS

65 1. Board Membership. There shall be a board of directors
 66 consisting of not less than three members from each organization. The
 67 members of the board to serve during the ensuing year shall be chosen
 68 at the annual membership meeting by the members entitled to vote.

69 2. Powers and Functions. The board of directors shall be the
 70 governing body of the corporation, with full power and authority to
 71 manage, conduct, and control the business and affairs of the corporation
 72

73 subject, however, at all times to the direction and authority of the
74 voting members of the organization. All actions taken by the board of
75 directors shall be deemed to be the acts of the corporation.

76 3. Annual Meeting. A meeting of the board of directors shall be
77 held at the place of each annual meeting of the members and immediately
78 following such meeting. At such annual meeting, the board of directors
79 shall elect the officers of the corporation for the ensuing year.

80 4. Meeting. The board of directors shall hold regular meetings at
81 such places and at such times as it may from time to time determine.
82 Special meetings may be called by the President. Upon the written
83 request of not less than two directors, the President shall call a
84 special meeting. The Secretary, or the President shall notify each
85 director of each board meeting, either orally or in writing, stating the
86 date, time, and place of the meeting, at least three days prior to the
87 date, of the meeting. In case of a written notice, such notice may be
88 given in any of the ways specified in section 3, article V of these
89 bylaws. The notice need not specify the purpose of the meeting. The
90 non-receipt of any written notice shall not invalidate any business done
91 at any meeting at which a quorum is present. No notice of a meeting need
92 be given to any member of the board of directors who is at the time
93 absent from the State of Hawaii.

94 5. Quorum and Voting. A majority of the directors shall constitute
95 a quorum, and the vote of a majority of the directors present shall be
96 sufficient to validate any action of the board. In the absence of a
97 quorum, those present may adjourn to a later date, but no business shall
98 be transacted without the presence of a quorum.

99 6. Committees. The board of directors may create and appoint such
100 general or special committees as the business of the corporation may
101 require and define the authority and duties of such committees.

VII.

OFFICERS

102
103 1. Enumeration. The officers of this corporation shall be a
104 President, one or more Vice-Presidents, one or more Secretaries, one
105 or more Treasurers, and an Executive Director, provided that one person
106 may hold two offices simultaneously, except that the offices of President
107 and Vice-President shall not be held simultaneously by the same person.
108 The President and Vice-President(s) shall be chosen from among the members
109 of the board of directors.

110 2. Election. All officers shall be elected by the board of
111 directors at its annual meeting. Each officer shall take office
112 immediately upon election and shall serve for a term of one year or until
113 his successor has been duly elected and qualified. In the election for
114 any office, the person receiving a majority of the votes cast shall be
115 deemed elected.

116 3. Removal. Any officer may be removed from office for cause by a
117 majority vote of the members of the board of directors present at a duly
118 called meeting, provided that a notice of the proposed removal and an
119 opportunity to be heard have been given the officer whose removal is
120 sought. Any vacancy occurring in any office by reason of removal from
121 office shall be filled in the manner provided in section 5, of this
122 article VII and may be filled at the same meeting at which the removal
123 is had.

124 4. Resignation. Any officer may resign at any time by giving a
125 written notice to the President, or, in the case of the President, to
126 any other officer. Any such resignation shall take effect at the time
127 specified in the notice; and unless otherwise specified in the notice,
128 acceptance of such resignation shall not be necessary to make it effective.

129 5. Vacancy. Any vacancy occurring in any office, except the office
130 of the President, shall be filled by the board of directors at any
131 general or special meeting of the board, provided that a notice of
132 election to fill such vacancy is given the board members in writing or
133 orally at least one day prior to the general or special meeting. A
134 person elected to fill a vacancy shall serve the unexpired term of his
135 predecessor in office.

136 6. The President. The President shall be the principal officer of
137 the corporation. In general, he shall oversee the business and affairs
138 of the corporation. He shall be an ex-officio member of all
139 committees and preside over all business meetings of the members and of
140 the board of directors. He shall sign all contracts and other instru-
141 ments authorized to be executed, unless the signing and execution are
142 expressly delegated by these bylaws or by the board of directors to,
143 or are required by law to be performed by some other officer or agent
144 of the corporation. He shall perform such other duties as are incident
145 to his office or are properly required of him by the board of directors.

146 7. The Vice-President. The Vice-President shall assist the
147 President. He shall be an ex-officio member of all committees. In the
148 absence or disability of the President, the Vice-President, or if there
149 is more than one Vice-President, the Vice President in the order named,

150 shall assume the powers and duties of the President. In case of a
151 vacancy in the office of President, the Vice-President, or if there is
152 more than one Vice-President, the first Vice-President, shall automatical
153 become President and serve the unexpired term of his predecessor in
154 office.

155 8. The Secretary. The Secretary shall: (a) keep the minutes of the
156 meetings of the members and the board of directors; (b) see that all
157 notices of meetings of the members and of the board of directors are
158 given as required by law or these bylaws; (c) ensure the proper
159 maintenance of the corporation's records; (d) keep a membership roll
160 containing the names of all members of the organization; (e) sign with
161 the President, all contracts and other instruments authorized to be
162 executed, unless the signing and execution are expressly delegated by
163 these bylaws or by the board of directors, or are required by law to be
164 performed by some other officer or agent of the corporation; and, (f)
165 in general, perform all such other duties as are incident to the office
166 of Secretary and as from time to time may be assigned by the President.
167 The records of the Secretary shall be open at all times for inspection
168 by a member of the corporation.

169 9. The Treasurer. The Treasurer shall: (a) have charge and custody
170 of and be responsible for all funds and securities of the corporation;
171 (b) ensure the keeping and proper maintenance of the corporation's books
172 of account; (c) assure that all moneys and funds of the corporation are
173 deposited to the credit of the corporation in such banks or other
174 depositories as shall be designated by the board of directors; (d) make
175 certain that all payments and disbursements of corporate funds are for

176 corporate purposes and as directed by the membership or the board of
177 directors; (e) see that all expenditures are duly authorized and are
178 evidence by proper receipts and vouchers; (f) receive all moneys and fun
179 paid to the corporation; (g) make to the members at the close of the
180 fiscal year and at such other times as directed by the members of the
181 board of directors such reports and financial statements regarding the
182 finances of the corporation; and (h) in general, perform all such other
183 duties as are incident to the office of Treasurer and as may be assigned
184 to him by the President. The Treasurer's books and accounts shall be op
185 at all times for inspection by any member of the corporation and shall b
186 audited at least once a year by an auditor or auditors selected by the
187 board of directors.

188 10. The Executive Director. The Executive Director shall devote his
189 full time to the affairs of the corporation and be paid such compensatio
190 as the board of directors may from time to time approve. He shall
191 in general manage and supervise the activities of the corporation and be
192 responsible to the board of directors. He shall be responsible for
193 (a) the securing of funds for the purposes of the corporation; (b) the
194 development of program proposals for submission to and approval by the
195 board of directors; (c) the implementation of such programs as the board
196 of directors may approve; and (d) the supervision of employees and subor
197 dinate officers of the corporation. He shall perform such other duties
198 as may be prescribed by the board of directors.

199 11. Subordinate Officers. The board of directors may from time to
200 employ such subordinate officers and employees as the affairs of the
201 corporation may require at such salaries and on such terms and condition

202 as the board of directors may determine.

VIII.

203 ROBERT'S RULES OF ORDER

204 Robert's Rules of Order, Newly Revised, shall govern the proceedings
205 of all meetings of the corporation and its constituent parts except as
206 otherwise provided in these bylaws.

IX.

207 CONTRACTS, DEBTS, CHECKS, DEPOSITS, ETC.

208 1. Contracts and Debts. No contract shall be entered into and no
209 debt shall be incurred in behalf of the organization by any member or
210 officer except as expressly authorized by the members of the board of
211 directors. The authority granted may be general or confined to specific
212 instances.

213 2. Checks. All checks, drafts, or other orders for the payment of
214 money, notes, or other evidences of indebtedness issued in the name of the
215 corporation shall be signed by any two of the following officers: the
216 President, the Treasurer, and the Executive Director. The board of
217 directors may expressly delegate the authority to sign such instruments
218 to some other officer or officers or agent or agents of the organization.
219 The delegation of authority to sign may be general or confined to specific
220 instances.

221 3. Deposits. All funds of the organization not otherwise employed
222 shall be deposited from time to time to the credit of the organization in
223 such banks or other depositories as the members of the board of directors
224 may direct.

X.

FISCAL YEAR

225 The fiscal year of the organization shall begin on July 1st of
226 each year.

XI.

AMENDMENTS

227
228 These bylaws may be amended, repealed, or altered, in whole or in
229 part, by a majority vote of the members present at any annual, general,
230 or special meetings, provided that a written notice to amend and copies
231 of the proposed amendment or amendments have been distributed to each
232 member at least two weeks before the meeting at which the proposed
233 amendment or amendments are to be discussed and voted on.

XII.

NON-PROFIT

234
235 The corporation is not organized for profit and it shall not issue
236 any stock, and no part of its assets, income, or earnings shall inure to
237 the benefit of or be distributed to any of its members, directors, or
238 officers, except that the organization may pay reasonable compensation
239 for services actually rendered to the corporation and make payments and
240 distributions in furtherance of the purposes set forth in article III
241 above. No substantial part of the activities of the corporation shall
242 be the carrying on of propaganda, or otherwise attempting to influence
243 legislation and the corporation shall not participate in, or intervene in
244 (including the publishing or distribution of statements) any political
245 campaign on behalf of any candidate for public office. Notwithstanding

246 any other provision of these articles, the corporation shall not carry
247 on any other activities not permitted to be carried on (a) by a corpor-
248 ation exempt from Federal income tax under section 501(c) (3) of the
249 Internal Revenue Code of 1954, or the corresponding provision of any
250 future United States Internal Revenue Law, or (b) by a corporation,
251 contributions to which are deductible under section 170(c) (2) of the
252 Internal Revenue Code (IRC) of 1954, or the corresponding provision of
253 any future United States Internal Revenue Law.



PUNA HUI OHANA
A Non-Profit Tax Exempt
Organization

P.O. BOX 611
PAHOA, HAWAII 96778
PHONE: 965-9140

DECEMBER-MARCH

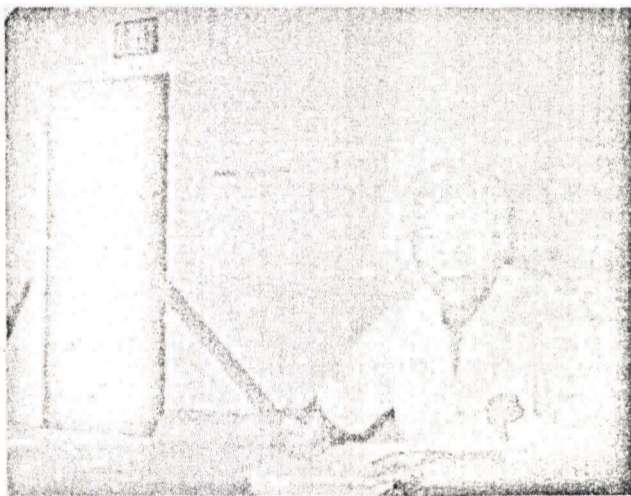
Puna paia ala ika ala o ka hala

STATEWIDE ISSUE NO. 1

ALOHA MAI!

MOVING INTO THE GEOTHERMAL ERA

Four years ago lower Puna-Makai lying on the south-eastern coast of the Puna district on the Big Island, in the shadow of Kilauea Volcano, quietly watched its many residential subdivisions slowly grow. Twenty-two miles from the island's major urban center, the seaport city of Hilo, the area appeared destined to become the city's major bedroom community.



Peter Hauanio, President

In addition, a basic rural agricultural economy of sugar, anthuriums, papaya, citrus fruit, orchids, macadamia nuts, vegetables and the lucrative but illegal pakalolo, provided employment and a rural lifestyle in the communities of Kapoho, Pohoiki, Pahoa, Kalapana, Kaimu and Opihikao. Only one road led in and out of lower Puna-Makai; Pele had earlier sealed off the southern access.

Today this very same place is on the threshold of potentially enormous geothermal and economic development certain to

change the physical and cultural landscape, of the Hawaiians in this ancient settlement. A recent bore into the heart of the Kapoho rift zone by the HGP-A (Hawaii Geothermal Program-Abbott) produced an extremely hot, high steam content and high pressure well. An experimental 3-megawatt electrical generating plant is under construction on the site for on-line use by the Hawaii Electric Light Company by April 1981. The two-year project is expected to examine the geothermal and economic feasibility of large-scale development. Scientists theorize a potential of over 1000 megawatts (enough to satisfy the electrical needs of a city of more than one million people!) in the Puna geothermal reservoir. What lies in store for Puna; for the Big Island?

Geothermal development as a relatively new power/energy source is certain to generate new social, economic, and cultural aesthetic forces, much of which are unknown or inadequately understood. Potential impacts resulting from geothermal/economic development on the aboriginal social, economic and cultural systems in connection with the widespread possibility of future exploration of geothermal site has accelerated the need for an objective research program identifying and quantifying changes certain to occur.

Uncertain about the effects of geothermal development the Puna Hui Ohana, an aboriginal Hawaiian community organization sought funding from the U.S. Department of Energy for a research proposal assessing potential changes in the social and cultural fabric of the aboriginal Hawaiian community. The proposal was approved and the project became operational October 10, 1979. One of the study objective calls for expansion of the regular Puna Hui Ohana Newsletter to include Statewide mailing to aboriginal Hawaiians and public planning and decision making groups. Many of the concerns are relevant for Hawaiians throughout the State and this mechanism will provide input for Hawaiians outside the Puna Hawaiian community.

~~EXHIBIT~~

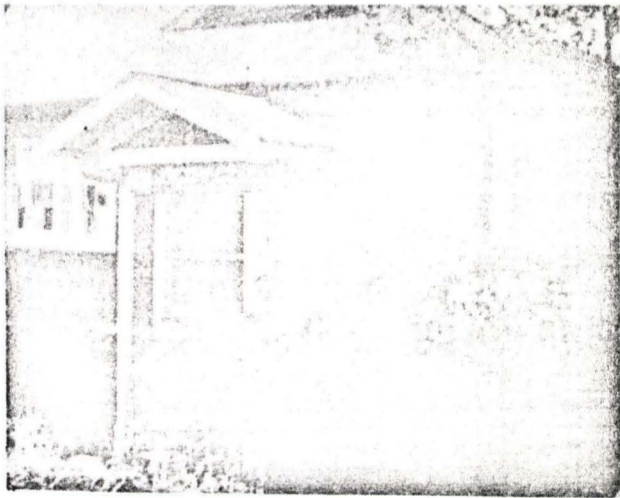
①

THE PUNA HUI OHANA,
A HAWAIIAN ORGANIZATION

The Puna Hui Ohana, a non-profit tax-exempt community organization was formed by aboriginal Hawaiians of lower Puna where it serves as an "umbrella" organization providing leadership and guidance for its members. Created to help Hawaiians recognize and resolve their problems, the Hui provides a decision-making organization, responsible for the planning and location of resources and expertise needed for problem resolution. Particularly important are the economic, social and political barriers preventing the Hawaiians from achieving the independence, self-sufficiency and self-pride once enjoyed by their ancestors.

While the primary objective of the Hui involves assessing the Hawaiian community's needs and generating appropriate corrective action or programs, a second important objective is the preservation and perpetuation of traditional Hawaiian culture. In its present role the Hui acts as an important forum for defining discussion and policy of Hawaiian-oriented issues such as "native claims" legislation or the over-all environmental impact of geothermal energy development in Puna.

Four Hawaiian organization functioning independently with their own constitutional by-laws are Hui members operating under the Hui's constitutional requirements. Each organization elects three representatives to the Hui Board of Directors who, along with a five-member Advisory Board (also Hawaiians) elect the Hui's officers. The organization includes:



Our office....

(1) Hawaiian Parents Society: Composed generally of parents with children in Pahoia School, this group is mainly responsible for the educational welfare of Hawaiian students. It also monitors curriculum development, is instrumental in trying experimental and innovative learning skills development likely to help Hawaiians, and plays an important role helping school officials to meet the school's instructional and operational problems.

(2) Puna Hawaiian Organization: Concerned with the preservation of the Hawaiian culture, members of this organization are generally the older and "ohana" residents of the community including the kupuna. They provide education scholarships for qualified Hawaiian children and are responsible for the Hawaiian language program. Dues-paying members are entitled to several benefits including limited funeral expense.

(3) Hui Opio: Young Hawaiians aged 10 to 18 are members of this organization who, under the supervision of older and advisory members from the other organizations, experience appropriate early education of lower Puna history and culture. Several supervised annual recreational/educational activities, in or out of Puna, including camping or infrequent inter-island trips, provide needed exposure settings for this group of young Hawaiians.

(4) Young Hawaiians of Puna: This gap group organization of young Hawaiians aged 18-35 is the newest of the Hui members. Formed to meet the challenge of the geothermal era to assure that Puna's young Hawaiians get a fair share of the geothermal/economic development and employment in their home area. The group is continuing its membership drive and fund-raising activities to build up its operational account. Current priorities are (1) completing a demographic analysis showing member's vocational skills and (2) continuing discussions with the University, Community College and various job-tracing agencies examining planning options for career development.

Some prior and current projects of the Hui includes:

(1) Puna Mikana: An agro-economic papaya venture organized with investment expertise, and labor of Hawaiian groups and individuals.

(2) Reading Improvement Project, Pahoia Elementary School: A remedial reading program developed by the Hui for Hawaiian children whose reading skills were two

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and a half years or more below grade level. Hui invited non-Hawaiian problem children to this program whose innovative techniques were later used as a statewide model for other reading programs.

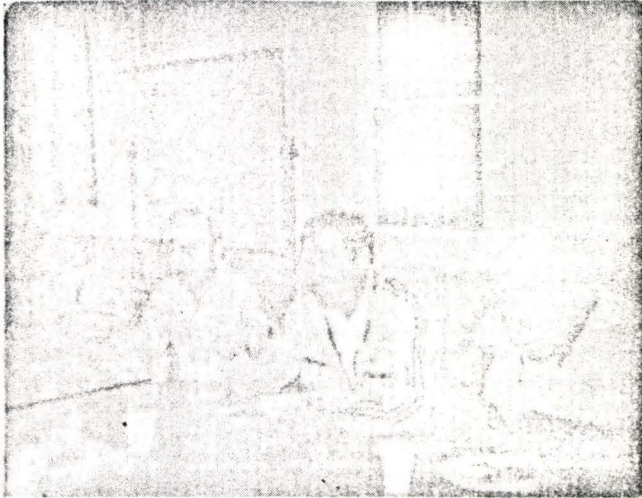
(3) Pahoa School VISTA Project: Coordinated resources of various Federal, State and private agencies to address educational and social problems of part-Hawaiian children.

(4) Pahoa School Tutoring Project: Provides special tutors to part Hawaiian children with educational problems.

(5) Hawaiian Language and Culture: After school and summer instruction for children; evenings for parents-adults.

(6) Scholarships: Educational scholarship at private high school and college levels.

(7) Hawaiian Cultural Center: Planning construction and cultural program in Kalapana an area rich in beauty and cultural history.

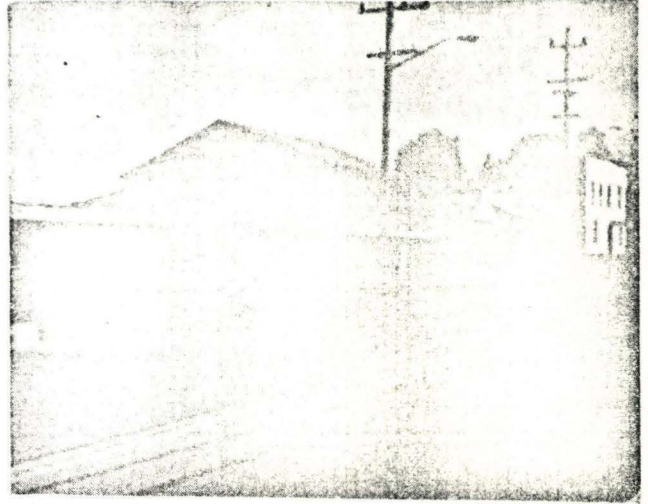


Hui meeting in Puna with Senate Energy Committee, Chairman T.C. Yim; Senators Joseph Kuroda and Dante Carpenter

LOWER PUNA, A PLACE PROFILE

Puna district in one of nine districts on the Big Island, nearly as large as Kauai. Geologically the youngest island, its topography results in wide climatic variations and limited surface resources. Much of Puna, the legendary home of Pele, has been inundated by fresh lava. Frequently shaken by tremors and earthquakes the district's natural hazards also

includes heavy rainfall and tsunami flooding of low lying area. Pahoa is the central community of lower Puna.



Pahoa, a mainstreet lifestyle

An estimated 22.8 percent of the island 80,000 population is Hawaiian; about 1100 are in lower Puna contributing to about 55% enrollment in Pahoa School's 1000 pupil student body. District-wide, Hawaiians have most of the service (21%), construction (10.2%) and farming (20%) jobs. Caucasian and Japanese dominate the technical/professional (94%) and sales/clerical (94%) positions.

Pahoa is in transition; on the threshold of urbanization where one would expect that as urbanization increases the problems associated with urbanization would also increase.

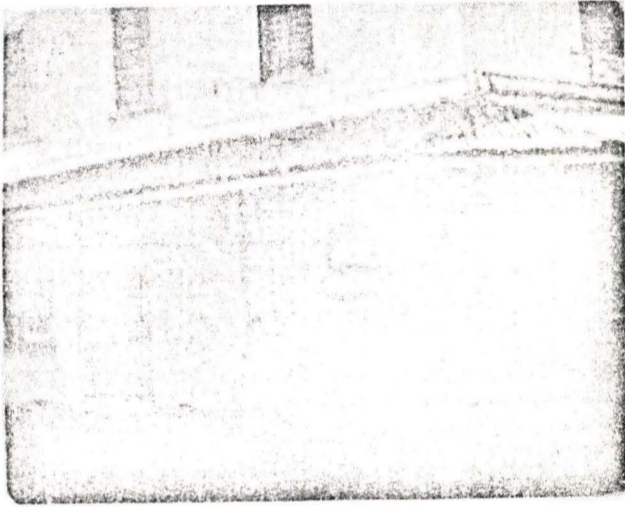
High rentals resulting from a growing housing shortage lead rising land prices and rents, subsequently eliminating the small farmers. Pahoa's old, narrow roads are unable to handle increasingly dangerous traffic loads. The school is overcrowded; the State unable to keep abreast with rapidly growing instructional, operational and recreational needs. In such an atmosphere Hawaiian's are undertrained resulting in a very small handful seeking post-high education.

Mainland and Honolulu migrants are moving in daily, competing for space, goods and services. Traditional Hawaiian food-gathering and recreational places are becoming crowded with tourist and residents, forcing the Hawaiians to less desirable places. Under-representation of Hawaiians in meaningful occupations and job discrimination leads to lower-level jobs in the governments and private sector. Pakalolo growing attracts many Hawaiians. Unfortunately, it sets a nega-

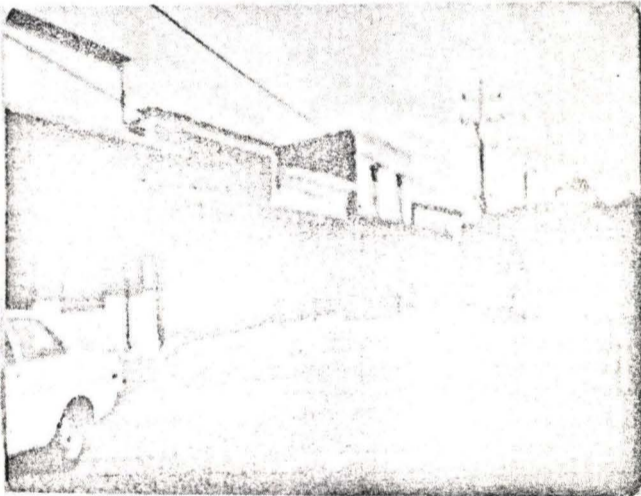
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tive example for Hawaiian youths already troubled at home and school.

The foregoing emerging issue are likely to result in serious conflict situations unless culturally acceptable corrective strategies are addressed. Economic and geothermal exploitation, inadequately filling the lifestyle needs of the Hawaiian's already caught in such a crisis, could lead to regressive cultural backlash. The Puna Hui Ohana is addressing its limited resources to concerns of the aboriginal Hawaiian community; supportive towards developments minimizing negative impacts.



Talk story....
a main street gathering place



Pahoehoe townhouses....

a way of life for our old-timers;
a connection with days gone by

THE HUI'S GEOTHERMAL PROGRAM

Fundamentally, the Hui's geothermal program involves two basic goals; (1) to develop an scientific knowledge and information base with which to increase its ability for rational decision-making and (2) to develop a strategy for effective public planning and policy input.

Data Collection: A data collection program leading to the establishment of a statistical base and an educational commitment making geothermal information available to the Hui membership, the Puna Community and other interested statewide organization.

The methods for reaching these objectives are seen in (1) the U.S. Department of Energy research project, (2) the New Zealand geothermal/cultural site visit, (3) membership on high-level policy-making bodies and technical association and, (4) collecting and establishing a geothermal library at the Hui Office.

The research project is expected to answer questions of impact on aboriginal lifestyle and its relationship to cultural values and beliefs. Project objectives are expected to be accomplished through a demographic analysis and descriptions of the aboriginal lifestyle in lower Puna; resulting in a better informed Hawaiian community. Development, testing and evaluation of a new method examining social and cultural impact assessment will enhance investigation techniques.

The Hui in representing the Hawaiians and the general community's geothermal concerns is a current member of, (1) the National Geothermal Council, (2) the Hawaii State Geothermal Program (experimental project in Puna), (3) the State Geothermal Advisory Council and, (4) the Hawaii County Energy Advisory Committee. It is also on the mailing list of several appropriate technical journals and associations and is furnishing consultant services relating to locating and exploring solution to social barriers likely to occur in a "direct-use applications" research project. They are also actively seeking membership on the Governor's Special Alternate Energy Committee the highest policy-making level in the State's alternate energy program.

With respect to the New Zealand visit a delegation of 15 members recently returned from visits to Wairakei and Huntley as well as non-electric applications of geothermal energy. Hosted by the Center of Maori Research and Studies from the University of Waikato at Hamilton New Zealand the Hawaiian delegation also

continue from page 4

visited and lived on Maori community maraes in Hamilton, Taupo and Rotorua. Opportunities to observe and participate in lectures and discussions on planning activities between the New Zealand Government and the Maori communities, provided insights to anticipated Hawaiian concerns regarding the same cultural, social and economic issues affecting Maori people.

Problems created by the siting of the very large (1000 mw) Huntley thermal power plant near the Maori community of Waahi and how the immense social costs raised by the plant's construction were legally resolved by the Maori's was one of the trip's highlights. It will be explored and discussed in another issue.

Cultural programs actively promoting the resurgence and teaching of the Maori cultural heritage in the face of growing social and economic pressures, revealed a strong Maori commitment to preservation of their cultural identity. The physical and social rebuilding of the ancient marae system, the heart of the Maoritanga (maoriness), provides the discipline and direction for the movement.

Impressed with the intensity of the Maori cultural resurgence, the Hawaiian delegation returned to Puna determined to initiate a similar program. They are now evaluating and capsualizing their photos, slides, notes and printed paraphanelia for eventual information presentation to any interested community groups.

Collection of information on the probable effects of geothermal development will include (1) available results of ongoing research, (2) project staff summarization of existing information and, (3) translations of pertinent information into less technical formats. Futhermore, a legal summary will be prepared defining and outlining opinions on ownership of the geothermal resource. Materials and papers presented at the mini-workshop planned for early summer will provide an additional informational resource.

Strategy: The development of a strategy for effective input is in early discussion stages and should be made operational as soon as possible. It is not ready for publication but will fundamentally involve the utilization of the Hui's knowledge and information base to accomplish the following:

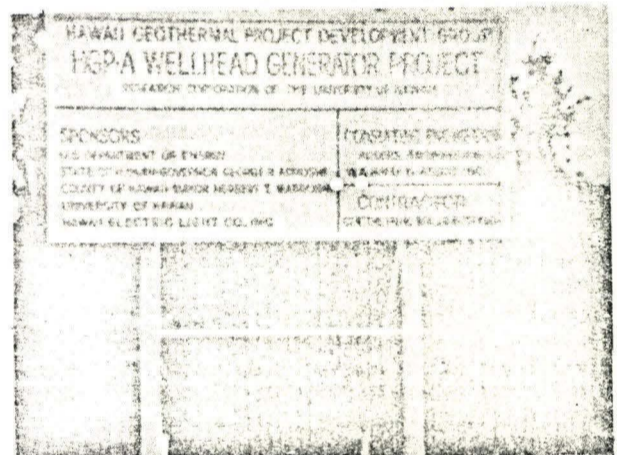
- (1) Actively monitor and influence public policy and decision-making.
- (2) Use its credibility, assert community leadership on developmental issues.

- (3) Develop organizational alliances for political leverage.
- (4) Seek economic participation and equity for the community.

STATUS OF GEOTHERMAL ACTIVITY IN PUNA

Several proposals are actively underway or in various stages of planning. Most of the program are research or experimentally-oriented and are briefly described as follows:

(1) HGP-A/DG (Hawaii Geothermal Project-Abbott/Development Group): A cooperative effort involving the Federal, State, County governments and the University of Hawaii. This project was designed to select a drill site with high potential for a geothermal resource capable of conversion to electrical energy. Additional programs for geophysics, engineering, environmental-social, economic and resource assesment were also supported. Hawaii Electrical Light and Hawaiian Electric Company are active participants in the program. Known to be the hottest geothermal well in the world, the HGP-A test project is expected to produce 3.0 megawatts of electricity when plant and generating facilities are completed in April of 1981.



(2) Engineering and Economic Studies for Direct Application of Energy in an Industrial Parks in Paho: A federally funded \$125,000 study that proposes to examine the possible non-electric uses for geothermal energy. It will attempt to determine which industries would respond successfully to direct using geothermal fluids. Additionally, the study offers a vehicle allowing the Hawaiian business decision-makers an opportunity to critically examine all possible economic opportunities resulting from direct use. The Puna Hui Ohana has consistently encouraged direct-use application as

continue from page 5

(1) the least damaging to the total environment, (2) causing the least economic leakage out of State by encouraging local State investment and, (3) most likely to seek the local-State job market. Industry candidates being considered are also more likely to use locally available raw materials.



Dedicating Hawaii's First Producing Geothermal Well L-R. Dr. John Shupe, UH-Manoa; Joseph Lagrone, Regional DOE; Rudolph Black, DOE Washington; Peter Hauanio, Puna Hui Ohana

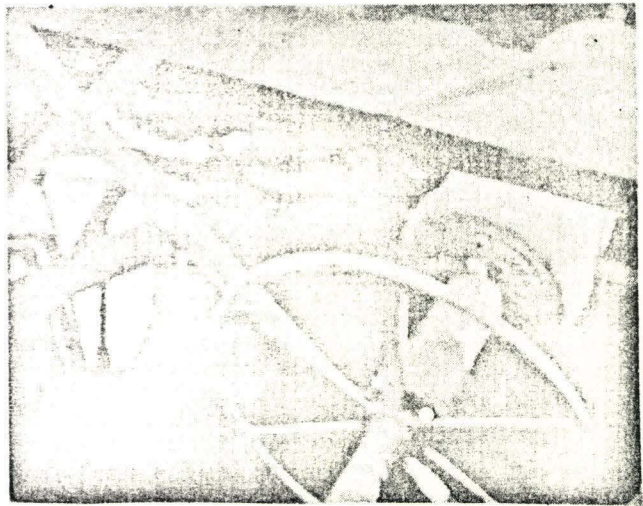
(3) Hawaii Deep-Water Cable Demonstration Program: A potentially important project still in the planning stages. It would include examination of site testing, probably, at Alenuihaha Channel (between Maui and the Big Island) of the electrical, mechanical and structural characteristic of a deep water cable, route testing, shore connection methods for a deep water cable and transmission of approximately 500 megawatts of electrical energy to Honolulu. The search into the technological and practical application of this program reflects the seriousness of Honolulu's inability to develop alternate energy resources to meet its growing energy needs. It also points to the Big Island's future role as a resource-exporter and the hazards of resource depletion and exploitation. Questions leading to the delimiting of massive industries to Hawaii County because of energy export are of concern to some government officials. Many social environmentalists see export as inducing less damage to county's lifestyles.

(4) Feasibility for Ethanol Production in Puna: Proposal to study, over a seven month period, the feasibility of an ethanol plant converting wood wastes and

sugar cane bagasse to produce approximately 18,500 gallons of ethanol 2,200 gallons of methonal and 10 megawatts of electricity each day. Using geothermal energy greatly enhances the process's productivity; the feedstock is taken to extinction. Said to be environmentally benign, the process produces no waste materials and all products are useful as energy sources. An exchange agreement calls for bagasse from Puna Sugar Company for the electricity produced. Wood feedstock is currently expected from the C. Brewer silvaculture developments. The Puna Hui Ohana, as a native American disadvantaged group, is being afforded an opportunity for equity in the new industry. Methods have yet to be devised which will make participation a reality; as in a trust management group providing hauling services or a tree farm (silvaculture) providing wood feedstock. Questions at the community hearing, focused on the adequacy of public services, mobile fuel needs, who benefits, who are the decision makers etc.?

(5) Assessment of Geothermal Impact on the Aboriginal Hawaiian Populations: This is the Puna Hui Ohana's on-going project examining socio-cultural impacts. Peter Hauanio, President, represents the Puna Hui Ohana as the principal investigator. Everett "Sonny" Kinney, a social geographer, is the research director. Areas identified by the Hui's Board of Directors as issues to be researched included:

a. Impact on Hawaiian culture and lifestyle; as (1) effects on public services, (2) compatibility with current lifestyles, (3) relationship to traditional Hawaiian uses of geothermal and, (4) attitudes to Pele.



The Main Valve....

a direct connection to Pele?

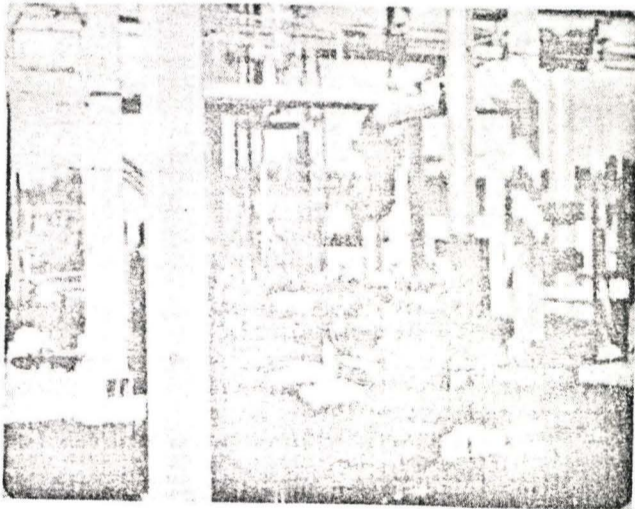
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b. Social Impact; as in (1) effects on public services, (2) community cohesion, (3) attitudes to alternate energy developments.

c. Economic Impact; as in (1) definition and ownership of resource, (2) royalties, (3) leases and resource longevity, (4) access to agriculture lands, (5) concurrent land uses, (6) land use and resource exhaustion, (7) geothermal uses including health spas, mining and recreation, (8) affects on job opportunities and job types, (9) job training, (10) electric rates increasing land values, taxes and cost of public services, and, (11) physical effects as in well proliferation and size of power plants, (12) health hazards caused by noise, smell, air pollution, chemical pollution and medical use of resource, (13) waste disposal, (14) water quality, (15) earthquakes, (16) land subsidence and, (17) lava flows. Voting members of the Board of Directors are:

Hawaiian Parents Society: Louise Kamanu, Puanani Mukai and Sarah Hauanio.
Puna Hawaiian Organization: Peter Hauanio, Elaine Hauanio and Kini Pe'a.
Hui Opio: Issac Hauanio and Pi'ilani Kaawaloa.
Young Hawaiians of Puna: Sim Enriquez Jr., Pen Naungayan and Mark Hauanio.
Advisors Executives: Jerry Johnson, Sonny Kinney and Mahealani Naungayan.
Office Staff: Sheila Bright, Raymond Elia, Pearllani Kajiyama and Linda Enriquez.



Things to Come...

Completed system of pipes and valves to and from the separators (recent wellhead test photo)

(6) Opihikao Drilling Program: Water Resource International (GEDCO) has permits to begin exploratory drilling for six wells on the Ishida property. Drilling equipment is in place and drilling is expected to commence in late May. According to the Craddick Brothers, the full program will follow only if the first well is productive. Permitting activity is being initiated for approximately 10 wells on the Seiko property in Kapoho, little over a mile south of the HGP-A well-head in Pohoiki. Members of the Young Hawaiians of Puna, are advised to keep in touch with the organization for possible job openings.



Nestled in an anti-lava inundation cellar, the master valve; cellar cover is nearby

Discussion between Water Resources and the Hui for apprentice driller positions are continuing. Additional training may be necessary at the American Petroleum Institute in California.

COMMUNITY HIGHLIGHTS

New Zealand study group is busily completing their written reports and film presentation and preparing a dance program for the Puna Hawaiian Organization's annual scholarship dinner. A Ho'olaulea including songs and dances learned in New Zealand is being scheduled for early June. The group and their responsibility category while in New Zealand includes:

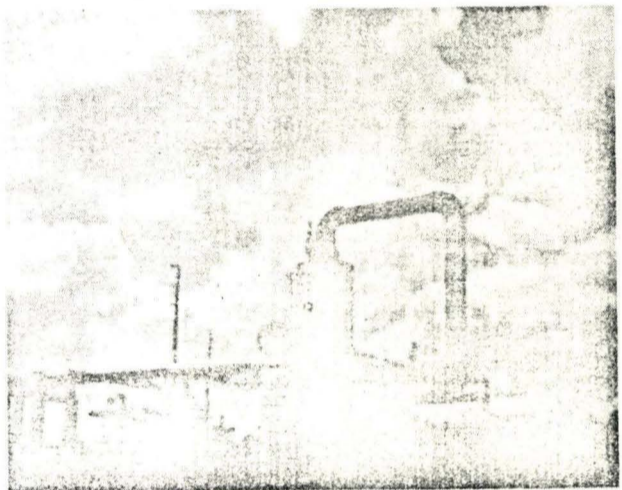
Hawaiian Parents Society (Education): Louise Kamanu, Sarah Hauanio, Puanani Mukai. Puna Hawaiian Organization (Cultural): Kini Pe'a, Elaine Hauanio, Mabel and Moke Makuakane, Louella Pe'a. Hui Opio (Youths aged 10-18) Isaac Hauanio and Pi'ilani Kaawaloa. Young Hawaiians of Puna (Young Adults 18-35) Mark Hauanio, and Leslie Doctor. Staff: Raymond Elia,

continue from page 7

Legal, Economic: Everett Kinney, Research Design: Dr. Jerry Johnson.

Dr. Robert Mahuta, Director of the Department of Maori Research and Studies of the University of Waikato in New Zealand, while in Hawaii for the Pan Pacific Conference, graciously took time off from a busy schedule for a 5-hour visit to Puna. Following a visit to the geothermal zone, he spoke at a Hui luncheon, encouraging the Hui to continue its struggle for effective input in geothermal planning.....Hui considering travel plan to the Geysers Geothermal Complex in California including possible visit to Klamath, Oregon and the Susanville, Imperial Valley geothermal developments in California.....a major workshop covering technological, economic, legal and social aspects, sponsored by the Hui, being planned for June 28 in Pahoa.....to be followed by an all-Hawaiian mini-workshop to discuss Hawaiian cultural attitudes, value and beliefs with reference to the June 28 workshops... ..congratulations to the Young Hawns of Puna who sponsored a successful volleyball tournament; their wahine group placed second in Novice division; the fundraiser cleared about \$1000.....Puna Canoe Club's koa canoe is scheduled for completion in June; memberships are still open for both girls and boys according to Aku Hauanio and Marilyn Kajiyama..... early planning welcoming 40 Maori University of Waikato students expected to visit Pahoa in January.....Congradulations to Kauamakani Elia and Kamuela Chun for representing Big Island in the Papua, New Guinea Pacific Music and Dance Festival.....the baby parade, our heartiest congratulations: girls to Ben and Mahealani, Norman and Nancy, Sim and Gayle, Gilbert and Emily, Ruth and Gary, Joe and Lynn: boys to Michael and Dottie, Fred and Florence, Ida and Jason.support the Puna Hawaiian Organization scholarship dinner for deserving young Hawaiian students.....negotiations are continuing with the DLNR for the Kalapana Cultural Center.....don't forget Hawaiian Language Program sponsored

by the Puna Hawaiian Organization for this summer; kumu is Faye Pua Hanohano Ka'awaloa.....our sadness and sorrows to the Kelihoomaluu, Bala and Johansen families on their recent loss....the Puna Hawaiian Organization is having Sonny Kinney as their guest speaker for their annual scholarship dinner, he will be speaking on " A Hawaiian Mechanism for Survival in a Multicultural Society".....the Young Hawaiians of Puna will hold a very important meeting on May 22, at the Pahoa Community Center, Room 4, to nominate and elect new officers and further discussions on planning and preparing programs for young Hawaiians in the geothermal era.....



The new Pchoiki skyline,
Will it spell the end
Of days gone by? Or,
Can there be hope
For progress and well-being,
Amidst Puna's cherished traditions?

A HUI HOU --- ME KEALOHA PUMEHANA

PUNA HUI OHANA
A Non-Profit Tax Exempt
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P.O. BOX 611
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PHONE: 965-9140



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8

A GEOTHERMAL SYMPOSIUM
Sponsored by the Puna Hui Ohana

Title: HAWAII AND THE GEOTHERMAL FUTURE:
Problems and possible uses; Impacts and predictions

Date: June 28, 1980 (Saturday)

Place: Pahoa School Cafeteria

Time: 8:30a.m. - 4:30p.m.

Theme: What is the Geothermal Future for Hawaii?

Format: Symposium/Panel Discussion

Structure: Four Panels/Four Discussion Areas

- a. Resource Assessment/Description
- b. Exploration/Engineering
- c. Utilization; Energy-Conversion/Direct Use
- d. Impacts; The Environment, Economic/Political

<u>PROGRAM</u>	<u>TIME</u>	
1. Call to Order (Ho'omaka)	8:30-8:32	
2. Pule (Opening prayer for guidance)	8:32-8:35	Mrs. M. Kaawaloa
3. Puna Songs, Hui Culture Group	8:35-8:40	N.Z. Group
4. Moderator, Symposium (explain format)	8:40-8:43	Mr. S. Kinney
5. Welcome (Hui President)	8:43-8:48	Mr. P. Hauanio
6. The Federal Interests	8:48-8:53	Dr. T. Yoshihara
7. The State Interests	8:53-9:00	Dr. H. Kono
8. The County Interests	9:00-9:05	Hon. H. Matayoshi

First Panel

Assessment, Resource, and Exploration

Panel Moderator: Peter Hauanio, President, Puna Hui Ohana 9:05-9:07

Panelists:

Dr. John Shupe: Chairman, Alternative Energy Research, UHM 9:07-9:22
Nature and Occurrence

Dr. Charles Hellesley: Hawaii Inst. of Geophysic, UHM 9:22-9:37
Exploration, Techniques and Strategies

Questions/Discussion 9:37-9:57

Break: New Zealand Geothermal Slide Show 9:57-10:22

Second Panel

Exploration/Engineering

Panel Moderator: Pearl Kajiya; President, Young Hawaiians of Puna 10:22-10:24

EXHIBIT

Panelists:

Mr. Louis Lopez, Project Manager, HGP-A 10:24-10:39
Project Status-Generating plants
Dr. William Chen, Professor, Engineering, UHH 10:39-10:54
Engineering and Field Development
Mr. Edward Craddick, Geothermal Development Co., President 10:54-11:04
Drill and Well completion
Questions/Discussion 11:04-11:24
Break: Lunch 11:24-12:24

Third Panel

Utilization

Panel Moderator: Kini Pe'a, Kalapana Community Organization 12:24-12:26

Panelists:

Mr. James Ditmar, Business Development Manager, Parsons Engineering 12:26-12:36
Underwater Cable Technology
Mr. Lloyd Jones, Manager, Energy Products, HD&C 12:36-12:46
Direct Use Application, Industrial Park in Pahoia
Mr. James Moreau, Project Manager, HD&C 12:46-12:56
Wood Ethanol Project in Pahoia
Mr. Daniel Williamson, President, HELCO; Energy Supply, HECO 12:56-1:06
Energy Transfer-Honolulu
Mr. Edward Nakamura, Bishop Estate 1:06-1:16
Land Planning/Development
Mr. John Humme, Manager, Puna Sugar Company 1:16-1:26
Sugar and Future Land Use
Questions/Discussion 1:26-1:46
Break: Hui Cultural Group 1:46-2:06

Fourth Panel:

Impacts:

Panel Moderator: Sarah Hauanio, Treasure/Hawaiian Parents Society,
Puna Hawaiian Organization 2:06-2:08

Panelists:

Dr. Sanford Siegel: Environmentalist, UHM 2:08-2:18
Environmental Interruptions
Dr. Jerry Johnson: Social Psychologist, UHH 2:18-2:28
Hui Research Update
Mr. Lui-Kwan: Native Hawaiian Legal Corp., Legislation 2:28-2:38
Ownership Aspects, Geothermal Resource, Tax
Mr. Jack Keppler, Managing Director, Hawaii County 2:38-2:48
County Wide Impacts
Dr. James Kent, FUND Executive Director 2:48-2:58
Social Impact Analysis
Questions/Discussion 2:58-3:18

Closing Remarks: Symposium Moderator- S. Kinney 3:18-3:28
Mahalo/Aloha: Hui President- P. Hauanio 3:28-3:33
Closing Pule: (Blessing of the Future)- H. LeeHong 3:33-3:36

PAU

PANEL ASSIGNMENTS
GEOTHERMAL ADVISORY COUNCIL MEMBERSHIP

Dr. John Shupe- Nature and Occurrence:

What the resource is, its various forms, classification, where it occurs in Puna, the State, why? Any other likely places in Puna, offshore? The heat source and steam generation, renewability.

Dr. Charles Hellesley- Exploration Techniques and Strategies:

Exploration methodology now in use, their value and limitation; assessing the resource, reservoir characteristics and future demand, analyzing well test data; chemical, fluid content.

Dr. William Chen- Engineering and Field Development:

Well and field preferences, plant upset conditions, valve blowout prevention, handling waste fluids by injection? Well future in terms of earthquakes, lava inundation.

HGP-A Status:

Type of generating plant, size option, sulfur dioxide content, MWe capacities, exhaust system, facilities for the future using geothermal.

Mr. Edward Craddick- Drill Site Construction, Drill and Well Completion:

Drilling mediums, types of rigs, site problems, costs per depth, blow-out prevention equipment; labor demands, water requirements.

Mr. James Ditmar- Parsons Engineering: Underwater Cable Technology:

Feasibility, major submarine technology problems, cable construction; transfer problem in Alenuihaha Channel (depth; current etc) what is cable role for Honolulu future: w/o cable? For Puna?

Mr. Lloyd Jones- The Industrial Park in Paho; Direct use Applications:

Over-all industrial park concepts; why we need it? Is it more efficient (agglomeration), is geothermal source in the park? Future for moderate temp/pressure resource in Hawaii County.

Mr. James Moreau- Wood Ethanol Project in Paho:

Describe process and product; the feed stock; equity distribution; environmental concern; the anchor industry as an attraction-what will it attract; mobile demands for the future.

Daniel Williamson-
Mr. Chip Higgins- Energy Demands and Self-sufficiency:

Honolulu's energy needs; how does HECO see the Puna role in supplying energy to Honolulu; the full and baseload condition; over and underground energy transfer-probable routes, future needs and the depletion problems.

Mr. Ed Nakamura- Bishop Estate's Development Plans:

Describe general Puna holdings and location; leasing plans regarding geothermal possibilities; direct developmental environment; any place for Hawaiians; future in Puna.

Mr. John Humme- AMFAC, its Land and Sugar:

Can sugar be saved? Geothermal and sugar refining role in industrial Park; innovative sugar uses; Puna sugar in the Keaau setting with geothermal energy-can geothermal save sugar?

Dr. Sanford Siegel- Environmental Interruptions, Mitigation Processes:

Ecological rhythms under stress; stress factors; noise, air and visual pollutions; endangered plant and animal species; health safety; chemical danger; environmental reporting. Will NEPA standard be reduced? What is its role in future of alternate energy and conservation?

Dr. Jerry Johnson- Research Design Consultant:

Overview of Hui Project to date: objectives, issues being examined; the New Zealand experience-cultural concerns; future implication for lower Puna.

Mr. Tim Lui Kwan- Legal Aspects of Geothermal Development:

Ownership issue; Hawaiian issue, water rights, various laws governing geothermal in permitting, regulatory process; future legal issues; the severance tax; role of development escrow.

Mr. Jack Keppler- Political, County-Wide Implications:

Hawaii County and self-sufficiency what does it mean? How soon; political leverage and the community vote; community participation in planning input and policy decisions. How County sees geothermal as enhancing economic development.

Dr. James Kent- Social Resource Management:

Citizens perception of a changing environment; community perception of geothermal development, ideology and culture in conflict; monitoring social change; the FUND Methodology-role of a social impact analysis.

Mr. Sonny Kinney- Research Project Director, Puna Hui Ohana,

Closing Remarks



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

July 22, 1980

Ms. Susan Orlando
P. O. Box 448
Pahoa, Hawaii 96778

Dear Ms. Orlando:

Re: Application of Geothermal Exploration
Development Corp. for Special Permit
for Drilling of Nine (9) Exploratory
Wells in Puna, Hawaii.

The Planning Commission acknowledges receipt of your request to be considered a "party" in a contested case hearing that may be held on the above-entitled matter, which is scheduled for further hearing at 7:00 p.m. on August 7, 1980 at the Councilroom at the County Building, Hilo, Hawaii.

The Planning Commission has scheduled a meeting between those who have requested to be considered as parties, a representative of GEDC, and a Planning Department representative at 10:00 a.m. on July 30, 1980 at the Building Department, County Building, Hilo, Hawaii. The purpose of this prehearing conference is to provide the potential parties with an opportunity to:

1. Identify the points of disagreement and, perhaps, narrow them by agreeing on certain facts;
2. Share other information such as lists of potential witnesses and exhibits to be presented for evidentiary purposes; and
3. Agree upon the format that would be followed in a contested case hearing.

EXHIBIT II

Ms. Susan Orlando

Page 2

July 22, 1980

It is hoped that such a meeting would lay the basis for a more orderly and streamlined hearing.

At the August 7, 1980 hearing, the Planning Commission will initially accept or reject the requests by you and others to be parties. If you are accepted as a party, you must be prepared to participate in a contested case hearing at that time. If you are rejected as a party, you will still have an opportunity as a public witness to present your oral and written testimony and/or exhibits. Other witnesses that you had planned on calling for testimony will also be afforded an opportunity to testify as public witnesses.

Presently, the Planning Commission plans to limit its August 7, 1980 hearing on this matter to 10:00 p.m. that night. If the presentations are not concluded by that time, then the matter will be continued for further hearing at the next open date.

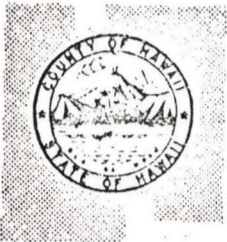
We urge you to prepare for and attend the prehearing conference on July 30, 1980. Please call the Planning Department at 961-8288 if you have any questions concerning this letter.

Very truly yours,

WILLIAM J. PARIS, JR.
Chairman, Hawaii County Planning
Commission

By *R. Ben Tsukazaki*
R. BEN TSUKAZAKI
Deputy Corporation Counsel

RBT:sw



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

July 22, 1980

Mr. Frank Skrivanek
Deputy Director
Dept. of Planning and Economic
Development
State of Hawaii
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Skrivanek:

Re: Application of Geothermal Exploration
Development Corp. for Special Permit
for Drilling of Nine (9) Exploratory
Wells in Puna, Hawaii.

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EXHIBIT JJ

Mr. Frank Skrivanek
Page 2
July 22, 1980

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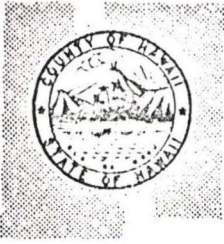
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Very truly yours,

WILLIAM J. PARIS, JR.
Chairman, Hawaii County Planning
Commission

By *R. Ben Tsukazaki*
R. BEN TSUKAZAKI
Deputy Corporation Counsel

RBT:sw



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SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

July 22, 1980

Puna Hui Ohana
P. O. Box 611
Pahoa, Hawaii 96778

Dear Sir:

Re: Application of Geothermal Exploration
Development Corp. for Special Permit
for Drilling of Nine (9) Exploratory
Wells in Puna, Hawaii.

The Planning Commission acknowledges receipt of your request to be considered a "party" in a contested case hearing that may be held on the above-entitled matter, which is scheduled for further hearing at 7:00 p.m. on August 7, 1980 at the Councilroom at the County Building, Hilo, Hawaii.

The Planning Commission has scheduled a meeting between those who have requested to be considered as parties, a representative of GEDC, and a Planning Department representative at 10:00 a.m. on July 30, 1980 at the Building Department, County Building, Hilo, Hawaii. The purpose of this prehearing conference is to provide the potential parties with an opportunity to:

1. Identify the points of disagreement and, perhaps, narrow them by agreeing on certain facts;
2. Share other information such as lists of potential witnesses and exhibits to be presented for evidentiary purposes; and
3. Agree upon the format that would be followed in a contested case hearing.

EXHIBIT KK

Puna Hui Ohana
Page 2
July 22, 1980

It is hoped that such a meeting would lay the basis for a more orderly and streamlined hearing.

At the August 7, 1980 hearing, the Planning Commission will initially accept or reject the requests by you and others to be parties. If you are accepted as a party, you must be prepared to participate in a contested case hearing at that time. If you are rejected as a party, you will still have an opportunity as a public witness to present your oral and written testimony and/or exhibits. Other witnesses that you had planned on calling for testimony will also be afforded an opportunity to testify as public witnesses.

Presently, the Planning Commission plans to limit its August 7, 1980 hearing on this matter to 10:00 p.m. that night. If the presentations are not concluded by that time, then the matter will be continued for further hearing at the next open date.

We urge you to prepare for and attend the prehearing conference on July 30, 1980. Please call the Planning Department at 961-8288 if you have any questions concerning this letter.

Very truly yours,

WILLIAM J. PARIS, JR.
Chairman, Hawaii County Planning
Commission

By *R. Ben Tsukazaki*
R. BEN TSUKAZAKI
Deputy Corporation Counsel

RBT:sw

July 23, 1980

Mr. Ed Craddick
Geothermal Exploratory Development Corp.
2828 Paa Street, Suite 2085
Honolulu, Hawaii 96819

Dear Mr. Craddick:

Re: Application of Geothermal Exploration
Development Corp. for Special Permit
for Drilling of Nine (9) Exploratory
Wells in Puna, Hawaii.

This is to confirm earlier communications informing you that there have been requests for a contested case hearing forwarded to the Planning Commission and that a prehearing conference is scheduled for 10:00 a.m. on July 30, 1980 at the Building Department, County Building, Hilo, Hawaii.

This meeting will involve persons who have requested a contested case hearing, the Planning Department and a representative of GEDC.

The purpose of this prehearing conference is to provide the potential parties with an opportunity to:

1. Identify the points of disagreement and, perhaps, narrow them by agreeing on certain facts;
2. Share other information such as lists of potential witnesses and exhibits to be presented for evidentiary purposes; and
3. Agree upon the format that would be followed in a contested case hearing.

EXHIBIT LL

Mr. Ed Craddick
Page 2
July 23, 1980

It is hoped that such a meeting would lay the basis for a more orderly and streamlined hearing.

At the August 7, 1980 hearing, the Planning Commission will initially accept or reject certain persons as "parties." If any person is accepted as a party, you must be prepared to participate in a contested case hearing at that time. If the Planning Commission does not accept anyone as a party, you will still have an opportunity to present your oral and written testimony and/or exhibits as any applicant does in the Commission's regular public hearing format. Other witnesses that you had planned on calling for testimony will also be afforded an opportunity to testify as public witnesses.

Presently, the Planning Commission plans to limit its August 7, 1980 hearing on this matter to 10:00 p.m. that night. If the presentations are not concluded by that time, then the matter will be continued for further hearing at the next open date.

We urge you to prepare for and attend the prehearing conference on July 30, 1980. Please call the Planning Department at 961-8288 if you have any questions concerning this letter.

Very truly yours,

WILLIAM J. PARIS, JR.
Chairman, Hawaii County Planning
Commission

By _____
R. BEN TSUKAZAKI
Deputy Corporation Counsel

RBT:sw

PROPOSED PROCEDURE

I. Order of Proceeding. At the beginning of the hearing, the Chairman will read the notice of hearing and then outline briefly the procedure to be followed.

II. Submission of Testimony. All parties shall be given reasonable opportunity to offer testimony on the subject of the proceeding. Each witness before proceeding to testify, shall be placed under oath or affirmation, and shall state his name, address and whom he represents at the hearing and shall give such information respecting his appearance relevant to the proceeding as the presiding officer or hearing officer may request. The presiding officer or hearing officer shall confine the testimony to the matters for which the hearing has been called, but he need not apply the technical rules of evidence except as required by statute. Each witness shall be subject to questioning by members of the Commission and by any representative of the Commission. Each witness shall also be subject to cross-examination by the adverse party. Each party shall have the right to submit rebuttal evidence and rebuttal arguments.

III. Official Notice of Facts. The Commission or hearing officer shall take notice of judicially recognizable facts and may take notice of generally recognizable technical or scientific facts within the Commission's specialized knowledge when parties are given notice during the hearing of the material so noticed and afforded the opportunity to

contest the facts so noticed.

IV. Additional Evidence. At the hearing, the Chairman may require the production of further evidence upon any issue.

V. Closing the Hearing. After all the evidence has been presented, the Chairman shall give the parties opportunity to summarize. After such final arguments have been completed and all requested memoranda submitted, if any, the Chairman shall bring the matter to a close.

VI. Proposed Findings and Conclusions. The Chairman shall permit parties to file proposed findings and conclusions, together with the reasons therefor, within fifteen (15) days after the hearing is closed. Such proposal shall be in writing and shall contain references to the record and to the authorities relied upon. Copies thereof shall be furnished to all parties. Parties shall be permitted to file responses to proposals of another party within ten (10) days after receiving such proposals. The form of the responses shall be as required for proposals.

VII. Commission Action. Within sixty (60) days after the close of the hearing, the Commission shall render a decision on the subject of the proceeding.

VIII. Findings and Decisions. The findings and decisions of the Commission shall be final unless an appeal is taken pursuant to Section 91-14, Hawaii Revised Statutes.

IX. Notice of Decision. The Commission shall, as soon as practicable and unless otherwise stipulated by the parties, notify the appellant of the decision and

order. The decision and order shall include separate findings of facts and conclusions of law. The Commission shall incorporate in the decision a ruling upon each proposed finding so presented by a party. Parties to the proceeding shall be notified by delivery or mailing of a certified copy of the decision and order and any accompanying findings and conclusions to each party or to his attorney of record.

July 30, 1980

Mr. James Woodruff
Department of Planning and
Economic Development
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Woodruff:

Special Permit Application
Geothermal Drilling
Tax Map Key 1-4-2:10

Please find enclosed a copy of our background report prepared for the subject application. However, our recommendation on the subject matter will be forthcoming under separate cover.

Should you have any questions on the matter, please feel free to contact Norman Hayasni of this office at 961-8288.

Sincerely,



SIDNEY M. EOKÉ
Director

BN:ak
Enclosure

cc Planning Commission

Same Letter to: E. C. Craddick, President
GEDCO
2828 Paa St., Suite 2085
Honolulu, HI 96819

Ms. Susan Orlando
P. O. Box 448
Pahoa, HI 96778

Mr. Everett Kinney
Puna Hui Ohana
P. O. Box 611
Pahoa, HI 96778

EXHIBIT MM

JUL 31 1980

August 1, 1980

Mr. James Woodruff
Department of Planning and
Economic Development
P. O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Woodruff:

Special Permit Application
Geothermal Drilling
Tax Map Key 1-4-2:10

Please find enclosed a copy of our recommendation for the subject application which will be forwarded to the Planning Commission.

Should you have any questions on the matter, please feel free to contact Norman Hayashi of this office at 961-8288.

Sincerely,



SIDNEY M. FUKU
Director

NH:ak
Enclosure

cc Planning Commission w/enclosure

Same letter to: E. C. Craddick, President
GEDCO
2828 Paa St., Suite 2085
Honolulu, HI 96819

Ms. Susan Orlando
P. O. Box 448
Pahoa, HI 96778

Mr. Everett Kinney
Puna Hui Ohana
P O. Box 611
Pahoa, HI 96778

EXHIBIT NN

AUG 1 1980

M E M O R A N D U M

TO: EDWARD CRADDICK
Geothermal Exploration and
Development Corp.
2828 Paa Street, Suite 2085
Honolulu, Hawaii 96819

GEORGE M. SHEETS
1077 Bishop Street, Suite 446
Honolulu, Hawaii 96813

JAMES WOODRUFF
Department of Planning and
Economic Development
P. O. Box 2359
Honolulu, Hawaii 96804

SUSAN ORLANDO
P. O. Box 448
Pahoa, Hawaii 96778

EVERETT KINNEY
Puna Hui Ohana - P. O. Box 611
Pahoa, Hawaii 96778

FROM: R. BEN TSUKAZAKI
Attorney for Hawaii County Planning
Commission

DATE: August 1, 1980

*New address
538 - South Rotonian St
300.
Honolulu, H. 96813*

Please find enclosed a copy of the draft of the agreement that we reached (concerning procedure) by you at our July 30, 1980 meeting.

I believe it accurately sets out the points of understanding as to how a contested case would proceed on August 7, 1980.

Please review the draft and be prepared to sign the original before the hearing begins on August 7, 1980. If you feel there is a mistake or misinterpretation in the draft, please call me immediately at #961-8251 so that I may make the correction, if necessary, prior to the hearing.

EXHIBIT 00

Memorandum
Page two

Also enclosed are the lists of witnesses and exhibits you helped to develop at our last meeting. I anticipate that the Chairman will confirm them with the parties if and when a contested case hearing begins on August 7, 1980.

Please call me if you have any questions.

RBT: aa

Enclosures

AGREEMENT

This Agreement is made and entered into by and between the Hawaii County Planning Department, the State of Hawaii Department of Planning and Economic Development, Geothermal Exploration Development Corporation, Susan Orlando, and the Puna Hui Ohana, personally or through such parties' duly authorized representatives.

RECITALS

WHEREAS, Geothermal Exploration Development Corporation has applied for a Special Permit for the exploratory drilling of a maximum of nine wells within a State Land Use Agricultural District in Puna, Hawaii, on property designated by Tax Map Key 1-4-02:10;

WHEREAS, the parties anticipate that they may be "parties" in a contested case hearing on the above-mentioned Special Permit Application before the Hawaii County Planning Commission on August 7, 1980;

WHEREAS, the parties have attended a meeting on July 30, 1980 in order to state their basic positions, to share information on the witnesses and exhibits that they might respectively present at the August 7, 1980 hearing, and to agree to the procedure that would be used in the event of a contested case hearing; and

WHEREAS, the parties recognize that their agreement on a suitable procedure for such hearing would serve their interests and benefit the members of the public who might attend the August 7, 1980 hearing;

Now, therefore, the parties agree and stipulate that the following procedure will be used should a contested case hearing be commenced on the above-mentioned matter:

1. After the designation of "parties", the Chairman will summarize the procedure to be used during and after contested case hearing.

2. Before the parties begin their presentations, there will be an opportunity for members of the public to speak on the matter.

3. After the close of the public testimony, the parties will make their presentations in the following order: Hawaii County Planning Department, State Department of Planning and Economic Development, Geothermal Exploration and Development Corporation, Susan Orlando, and Puna Hui Ohana.

4. The method of cross-examination will be by questions raised by the parties after a particular party has made its presentation, rather than after the testimony of each witness; such questions will be directed at the presenting party through the Chairman.

5. Each party will have an opportunity to make a closing summary of its position before the close of the hearing.

6. Each party will have the right to file Proposed Findings of Fact and Conclusions of Law with the Planning Commission within fifteen (15) calendar days after the hearing is closed; such proposals need not contain specific references to the hearing record; a party

shall mail copies of its proposal to the other parties at the time of the filing of such proposal; there will be no opportunity for a party's response to another party's proposal.

7. Within thirty (30) calendar days after the hearing is closed, the Planning Commission shall place the matter on its agenda for action on the Special Permit Application; a decision shall be rendered within a reasonable amount of time thereafter.

8. The decision and appropriate order shall include findings of fact and conclusions of law, and certified copies thereof shall be mailed or delivered promptly to each party or its authorized representatives.

HAWAII COUNTY PLANNING DEPARTMENT

DATED: 7 Aug 80

By Sidney Fuke
SIDNEY FUCE, the Director

STATE OF HAWAII
DEPARTMENT OF PLANNING AND
ECONOMIC DEVELOPMENT

DATED: _____

By James J Woodruff
JAMES WOODRUFF, Its Authorized
Agent

GEOHERMAL EXPLORATION AND
DEVELOPMENT CORP.

DATED: _____

By George M. Sheets
GEORGE M. SHEETS, Its Attorney

PUNA-HUI-OHANA

DATED: 8/7/80

By Everett Kinney
EVERETT KINNEY, Its Authorized
Agent

DATED: Aug 7, 1980

By Susan Orlando
SUSAN ORLANDO

APPLICATION FOR
 SPECIAL PERMIT GEOHERMAL EXPLORATORY DEVELOPMENT CORPORATION

LIST OF WITNESSES

Name (List in Order of Appearance)	Expertise	Subject Matter	Written Testimony	Exhibits	Length of Direct
1. Hawaii County Planning Department					
Staff member					
2. Department of Planning and Economic Development					
James Woodruff					
3. Geothermal Exploratory and Development Corp.					
Dr. Sanford Siegel	Zoologist/ Toxicologist	Toxicologist			
4. Murray Gardner	Geophysics	Geophysical aspect			
Edward Craddick	GEDC representative	General			
Willis Craddick	GEDC representative	General			

EXHIBIT
 00-2

LIST OF WITNESSES

Name (List in Order of Appearance)	Expertise	Subject Matter	Written Testimony	Exhibits	Length of Direct
1. Puna Hui Ohana					
2. Jerry Johnson	Sociologist	Input			
James Kent	Attorney				
Craig Severance					
Peter Hauanio	Puna Hui Ohana President	General			
David Hess	President, Pahoa Community Council	General			
3. Susan Orlando					

EXHIBIT

PLANNING COMMISSION
DECISION

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date August 21, 1980

Petitioner GEDCO - Special Permit

Preliminary hearing Public hearing Request Action

ACTION: Approve

Deny

Defer

Continue

Schedule for public hearing

Other: 8-0 Approved

Additional

① No more than 9 - after 3 successful, other exploratory drilling be ceased

Commissioners	Aye	No	Excused	Abstain	Absent
IMADA, CLYDE M	✓				
KAGAWA, ROY					✓
NAKANO, BERT	✓				
ORITA, FRED	✓				
SAKAMOTO, CHARLES	✓				
WHITMARSH, JINA S	✓				
FRIAS, GLENN	✓				
PONTE, GEORGE	✓				
PARIS, WILLIAM J, JR. (CHRM.)	✓				

EXHIBIT PP

September 2, 1980

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

Dear Mr. Craddick:

Special Permit Application
Tax Map Key 1-4-02:10

The Planning Commission at its meeting on August 21, 1980, considered your request to allow the exploratory drilling of a maximum of nine (9) wells on 180+ acres of land situated within the State Land Use Agricultural District at Laepaoo, Puna, Hawaii.

The Commission voted to forward a favorable recommendation to the State Land Use Commission subject to the following conditions:

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 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.

EXHIBIT Q Q

SEP 2 - 1980

Mr. E. C. Craddick, President

Page 2

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 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).
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.

It should be pointed out that any further development beyond the drilling and testing shall require another Special Permit.

Should any of the foregoing conditions not be met, the Special Permit may be deemed null and void.

We will be forwarding a copy of the proposed findings of fact supporting the decision as soon as the wording is approved by the Planning Commission. In the meantime, should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,

Jim Whitmarsh
for

WILLIAM J. PARIS, JR.
Chairman, Planning Commission

SN:ak

cc: State Land Use Commission
Land Use Division, DPED
George Sheets
Hiromu Yamanaka
James Woodruff
Susan Orlando
Everett Kinney



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 98720

HERBERT T. MATAYOSHI
Mayor

COUNTY OF
HAWAII

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

September 19, 1980

Mr. E. C. Craddick, President
Geothermal Exploration and
Development Corporation
838 South Beretania, No. 300
Honolulu, Hawaii 96813

Dear Mr. Craddick:

Special Permit Application
Tax Map Key 1-4-02:10

Enclosed for your information is a copy of Special Permit
No. 460 granted by the Planning Commission on August 21, 1980
with the conditions on the permit.

Sincerely,

SIDNEY FUKU
Planning Director

lgv
Enclosure

cc: State Land Use Commission w/encl.
George Sheets w/encl.
Hiromu Yamanaka w/encl.
James Woodruff w/encl.
Susan Orlando w/encl.
Everett Kinney w/encl.
Jack Keppler w/encl.
Corporation Counsel w/encl.

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR SPECIAL PERMIT)	
by)	SPECIAL PERMIT NO. <u>460</u>
GEOHERMAL EXPLORATION AND)	
DEVELOPMENT CORPORATION)	
for)	
the exploratory drilling of a)	
maximum of nine geothermal wells)	
in)	
Laepaoo, Puna, Hawaii)	
)	

SPECIAL PERMIT

The County Planning Commission at the duly held public hearings on June 30 and August 7, 1980, considered the application of GEOHERMAL EXPLORATION AND DEVELOPMENT CORPORATION for a Special Permit in accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, as amended, and Rule No. 6 of the Planning Commission relating to Special Permit to allow the exploratory drilling of a maximum of nine geothermal wells at Laepaoo, Puna, Hawaii, Tax Map Key 1-4-02:10.

Based on the Findings of Fact, Conclusions of Law, Decision and Order adopted on September 11, 1980 and attached hereto as Exhibit "TT", the Commission hereby grants to the petitioner a Special Permit to allow the exploratory drilling of a maximum of nine geothermal wells at Laepaoo, Puna, Hawaii, pursuant to the authority vested in it by Chapter 205, Section 205-6, Hawaii Revised Statutes, as amended, and Rule No. 6 of the Planning Commission.

Approval of the Special Permit is subject to the following conditions, as also stated in Exhibit "TT":

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 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 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).
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.

Should the foregoing conditions not be met, the Special Permit may be deemed null and void by the Planning Commission.

It should be pointed out that any further development beyond the drilling and testing shall require other applicable permits and approval. Thus the subject Special Permit only covers those activities which the petitioner has proposed as being necessary in order to determine the location and extent of geothermal resources on the subject property.

The effective date of the Special Permit shall be August 21, 1980.

Dated at Hilo, Hawaii, this 19th day of September, 1980.

for William Whitman
 WILLIAM J. PARIS, JR.
 Chairman, Planning Commission

APPROVED AS TO FORM
 AND LEGALITY:

A. Ben Bulazola
 DEPUTY CORPORATION COUNSEL
 COUNTY OF HAWAII

Date: 19 Sept 80

exploratory wells for the purpose of determining the quality and extent of geothermal resources available.

2. Notice of public hearing on the matter was mailed by the County of Hawaii Planning Department to surrounding property owners on June 16, 1980.

3. Notice of public hearing on the matter was published in the Hawaii Tribune Herald on June 20 and 27, 1980.

4. A public hearing was held on the matter on June 30, 1980 at the County Building in Hilo, Hawaii.

5. At the June 30, 1980 hearing, public testimony was taken; certain persons indicated an interest in participating in contested case proceedings.

6. The public hearing was continued in order to allow interested persons to request a contested case proceeding in the matter in writing by July 18, 1980.

7. Susan Orlando, the Puna Hui Ohana, and the State of Hawaii Department of Planning and Economic Development made proper and timely requests to be parties in a contested case proceeding.

8. On July 30, 1980, Susan Orlando and representatives of GEDCO, the Hawaii County Planning Department, the Department of Planning and Economic Development, and the Commission met to clarify the procedure, witnesses, and exhibits to be employed if the Commission decided to hold a contested case proceeding.

9. The above-mentioned parties to this July 30, 1980 meeting later signed an agreement as to the hearing and post-hearing procedures to be followed.

10. Notice of further public hearing was published in the Hawaii Tribune Herald on July 27, 1980 and August 5, 1980.

11. Further public testimony was taken on August 7, 1980 prior to the commencement of a contested case proceeding, which was eventually concluded on August 8, 1980.

DESCRIPTION OF THE SUBJECT PROPERTY.

12. The subject property is located at Laepaoo in the Puna District of the Island of Hawaii, approximately one mile southeast of the existing Hawaii Geothermal Project site and 2,000 feet north of Pohoiki Road, and is further identified as Tax Map Key 1-4-02:10.

13. Daiichi Seiko of Hawaii, Inc. holds fee simple title to the subject property.

14. Access will be off Pohoiki Road through Amfac property on an old railroad right-of-way to an existing 40-foot easement on the east boundary of the subject property.

15. The property's dominant soil types are Opihikao extremely rocky muck and Aa and Pahoehoe lava flows; such types are classified by the Soil Conservation Service, U. S. Department of Agriculture, as Class VIIs and VIII, which are the lowest classes in the ranking system for agricultural activity and thus are considerably limited as to their use for cultivation purposes.

16. Of the approximately 180 acres involved in the petition, only three acres will actually be used for the well sites.

17. The subject property is in a State Land Use Agricultural District.

18. County zoning for the property is "Agriculture" with a ten-acre minimum lot size.

19. According to the Land Use Inventory conducted by the Planning Department, there are two residences within a

one mile radius of the subject property.

PROPOSED USE.

20. GEDCO plans to drill a maximum of nine exploratory wells and to test them in order to determine the extent and magnitude of geothermal resources under subject property.

21. The GEDCO project will produce data for evaluating the suitability of the geothermal resource as a production reservoir.

22. The drilling schedule would be 24 hours a day, Mondays through Fridays.

23. The project will involve the use of a drilling rig with an estimated 100-foot tower and other generating and accessory equipment.

24. It is unlikely that the project will produce air pollutants or toxic substances that would adversely affect the surrounding areas.

25. Normal operating sounds of drilling equipment will be minimized by GEDCO, and noise problems are not anticipated, especially since there are no homes nearby.

26. A physical survey and replies from governmental agencies indicate that the project will not harm any known or registered historic sites or cause a detriment of any endangered species particularly occupying the subject property.

27. Monitoring of the environmental impacts of the project will be done on a continuing basis, referring to measurements from "baseline" data collected since 1975.

28. The project will not substantially change the character of the land.

29. The project is not likely to unreasonably burden public agencies to provide roads, water, and other essential infrastructure and services.

COUNTY OF HAWAII GENERAL PLAN.

30. The General Plan Land Use Patent Allocation Guide Map designates the subject area as "Orchard," indicating that the land, though rocky in character and content, could possibly support productive macadamia nut, papaya, and other similar agricultural products.

31. The Public Utilities Element of the General Plan states that County shall encourage the continuation of studies concerning the development of power which can be distributed at lower costs to consumers.

32. The Economic Element of the General Plan states that the Island of Hawaii should be developed into a unique scientific and cultural model where development should be reviewed on the basis of total impact on the island's residents, not only in terms of immediate short-range economic benefits.

33. The goals of the recently adopted Energy Element of the General Plan are to strive for energy self-sufficiency and to establish the Big Island as a demonstration community for the development and use of natural energy resources.

34. The policies of the Energy Element are to encourage the development of alternative energy resources and the expansion of the energy research industry and to strive to assure a sufficient supply of energy to support present and future demands.

CONCLUSIONS OF LAW

Pursuant to HRS §205-6, as amended, the District Regulations of the State Land Use Commission, and Rule 6 of the Hawaii County Planning Commission Rules Relating to Administrative Procedure, the Commission concludes that all of the legal requirements of notice and hearing were complied

with in the Petition of Geothermal Exploration and Development Corporation for a Special Permit to allow the exploratory drilling of a maximum of nine wells on approximately 180 acres of land situated at Puna, County and State of Hawaii. The Commission, having heard and examined all of the record, evidence, and arguments of the parties, concludes that the proposed use of the subject constitutes and "unusual and reasonable use" because:

1. The proposed use shall not be contrary to the objective sought to be accomplished by the Land Use Law and Regulations, which are intended to protect, preserve and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii;

2. The proposed use will not adversely affect surrounding property;

3. The proposed use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection;

4. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established; and

5. The subject property is generally unsuited for the cultivation of crops and other related permissible uses within the agricultural district.

ORDER

It is hereby ordered that a Special Permit be granted to Geothermal Exploration and Development Corporation for the

drilling of a maximum of nine wells on approximately 180 acres of land situated at Puna, County and State of Hawaii, identified as Tax Map Key 1-4-02:10 subject to the following conditions:

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 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 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).

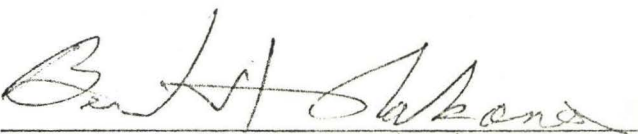
9. That there shall be no more than nine (9) exploratory drillings; provided that upon the discovery of three (3) successful wells, all further exploratory drillings shall immediately cease.

10. That all other applicable rules and regulations shall be complied with.


Dated: Hilo, Hawaii, this 11th day of September, 1980.

HAWAII COUNTY PLANNING COMMISSION,
COUNTY OF HAWAII


WILLIAM J. PARIS, JR., Chairman
and Commissioner


BERT H. NAKANO, Commissioner


ALFREDO ORTA, Commissioner


CHARLES H. SAKAMOTO, JR., Commissioner


CLYDE IMADA, Commissioner


TINA WHITMARSH, Commissioner


ROY KAGAWA, Commissioner

Glenn Frias

GLENN FRIAS, Commissioner

George Ponte

GEORGE PONTE, Commissioner

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: Mr. Stephen Bess, Corporation Counsel Date: September 3, 1980

From: Planning Director

Subject: Special Permit Application of Geothermal Exploration and
Development Corporation

May we please have your approval as to form and legality
on the attached Special Permit.

smn

Enclosure

EXHIBIT 55

exploratory wells for the purpose of determining the quality and extent of geothermal resources available.

2. Notice of public hearing on the matter was mailed by the County of Hawaii Planning Department to surrounding property owners on June 16, 1980.

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8. On July 30, 1980, Susan Orlando and representatives of GEDCO, the Hawaii County Planning Department, the Department of Planning and Economic Development, and the Commission met to clarify the procedure, witnesses, and exhibits to be employed if the Commission decided to hold a contested case proceeding.

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13. Daiichi Seiko of Hawaii, Inc. holds fee simple title to the subject property.

14. Access will be off Pohoiki Road through Amfac property on an old railroad right-of-way to an existing 40-foot easement on the east boundary of the subject property.

15. The property's dominant soil types are Opihikao extremely rocky muck and Aa and Pahoehoe lava flows; such types are classified by the Soil Conservation Service, U. S. Department of Agriculture, as Class VIIIs and VIII, which are the lowest classes in the ranking system for agricultural activity and thus are considerably limited as to their use for cultivation purposes.

16. Of the approximately 180 acres involved in the petition, only three acres will actually be used for the well sites.

17. The subject property is in a State Land Use Agricultural District.

18. County zoning for the property is "Agriculture" with a ten-acre minimum lot size.

19. According to the Land Use Inventory conducted by the Planning Department, there are two residences within a

one mile radius of the subject property.

PROPOSED USE.

20. GEDCO plans to drill a maximum of nine exploratory wells and to test them in order to determine the extent and magnitude of geothermal resources under subject property.

21. The GEDCO project will produce data for evaluating the suitability of the geothermal resource as a production reservoir.

22. The drilling schedule would be 24 hours a day, Mondays through Fridays.

23. The project will involve the use of a drilling rig with an estimated 100-foot tower and other generating and accessory equipment.

24. It is unlikely that the project will produce air pollutants or toxic substances that would adversely affect the surrounding areas.

25. Normal operating sounds of drilling equipment will be minimized by GEDCO, and noise problems are not anticipated, especially since there are no homes nearby.

26. A physical survey and replies from governmental agencies indicate that the project will not harm any known or registered historic sites or cause a detriment of any endangered species particularly occupying the subject property.

27. Monitoring of the environmental impacts of the project will be done on a continuing basis, referring to measurements from "baseline" data collected since 1975.

28. The project will not substantially change the character of the land.

29. The project is not likely to unreasonably burden public agencies to provide roads, water, and other essential infrastructure and services.

COUNTY OF HAWAII GENERAL PLAN.

30. The General Plan Land Use Patent Allocation Guide Map designates the subject area as "Orchard," indicating that the land, though rocky in character and content, could possibly support productive macadamia nut, papaya, and other similar agricultural products.

31. The Public Utilities Element of the General Plan states that County shall encourage the continuation of studies concerning the development of power which can be distributed at lower costs to consumers.

32. The Economic Element of the General Plan states that the Island of Hawaii should be developed into a unique scientific and cultural model where development should be reviewed on the basis of total impact on the island's residents, not only in terms of immediate short-range economic benefits.

33. The goals of the recently adopted Energy Element of the General Plan are to strive for energy self-sufficiency and to establish the Big Island as a demonstration community for the development and use of natural energy resources.

34. The policies of the Energy Element are to encourage the development of alternative energy resources and the expansion of the energy research industry and to strive to assure a sufficient supply of energy to support present and future demands.

CONCLUSIONS OF LAW

Pursuant to HRS §205-6, as amended, the District Regulations of the State Land Use Commission, and Rule 6 of the Hawaii County Planning Commission Rules Relating to Administrative Procedure, the Commission concludes that all of the legal requirements of notice and hearing were complied

with in the Petition of Geothermal Exploration and Development Corporation for a Special Permit to allow the exploratory drilling of a maximum of nine wells on approximately 180 acres of land situated at Puna, County and State of Hawaii. The Commission, having heard and examined all of the record, evidence, and arguments of the parties, concludes that the proposed use of the subject constitutes and "unusual and reasonable use" because:

1. The proposed use shall not be contrary to the objective sought to be accomplished by the Land Use Law and Regulations, which are intended to protect, preserve and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii;

2. The proposed use will not adversely affect surrounding property;

3. The proposed use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection;

4. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established; and

5. The subject property is generally unsuited for the cultivation of crops and other related permissible uses within the agricultural district.

ORDER

It is hereby ordered that a Special Permit be granted to Geothermal Exploration and Development Corporation for the

drilling of a maximum of nine wells on approximately 180 acres of land situated at Puna, County and State of Hawaii, identified as Tax Map Key 1-4-02:10 subject to the following conditions:

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 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 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).

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.


Dated: Hilo, Hawaii, this 11th day of September, 1980.

HAWAII COUNTY PLANNING COMMISSION,
COUNTY OF HAWAII


WILLIAM J. PARIS, JR., Chairman
and Commissioner


BERT H. NAKANO, Commissioner


ALFREDO ORITA, Commissioner


CHARLES H. SAKAMOTO, JR., Commissioner


CLYDE IMADA, Commissioner


TINA WHITMARSH, Commissioner


ROY KAGAWA, Commissioner

Glenn Frias

GLENN FRIAS, Commissioner

George Ponte

GEORGE PONTE, Commissioner

20TH CENTURY PLASTICS, INC.

3434 CRENSHAW, L.A. CA 90008

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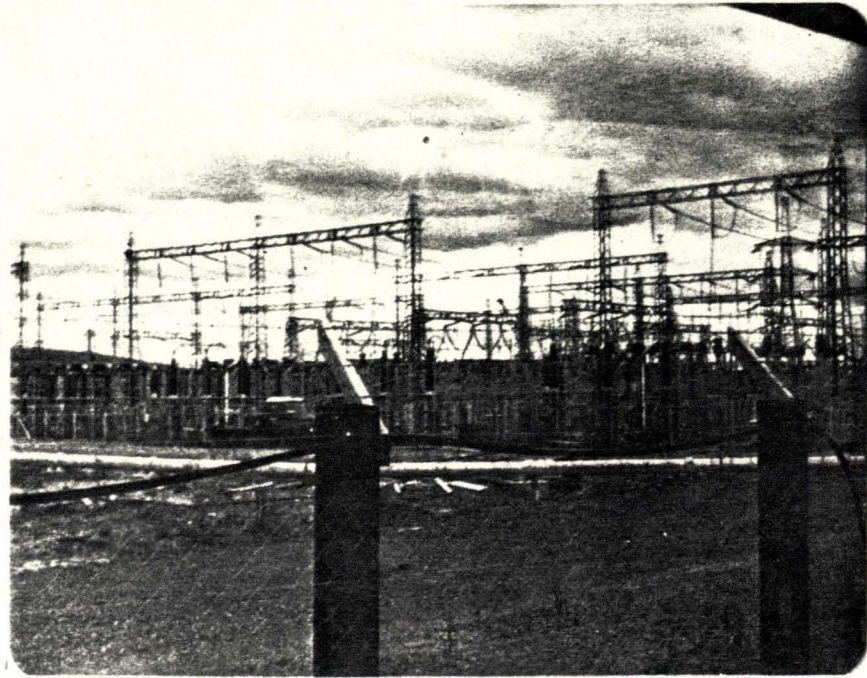
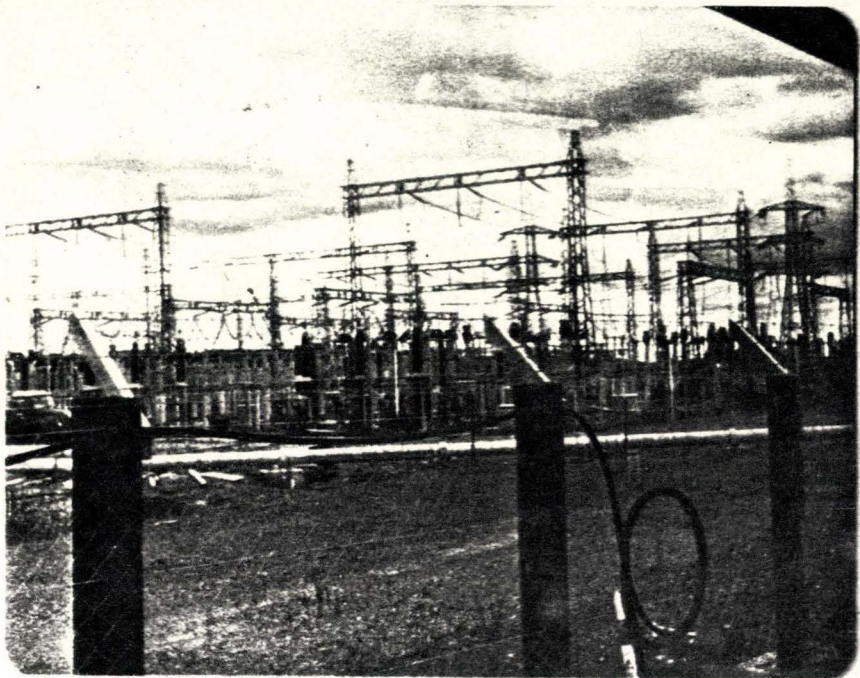
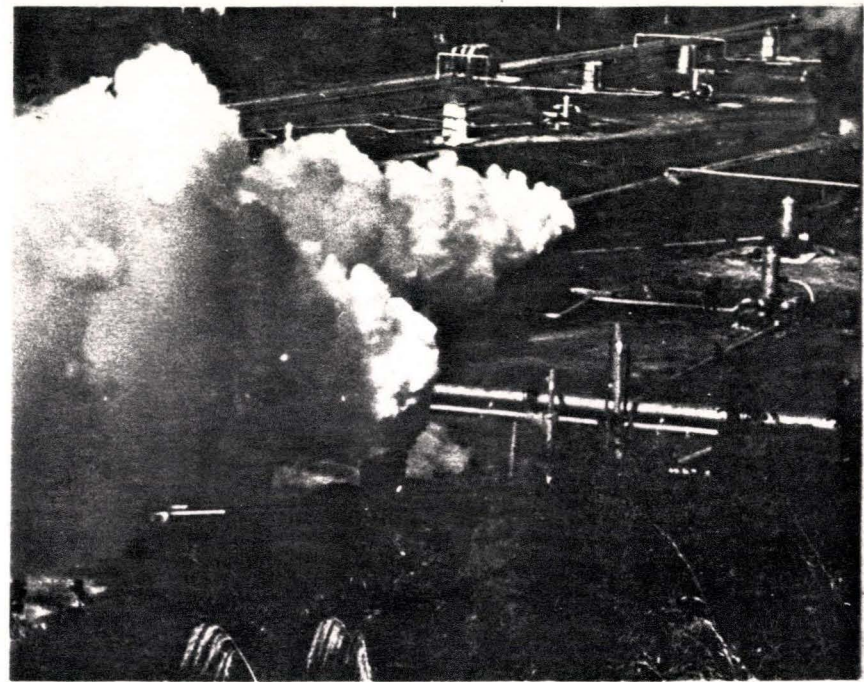
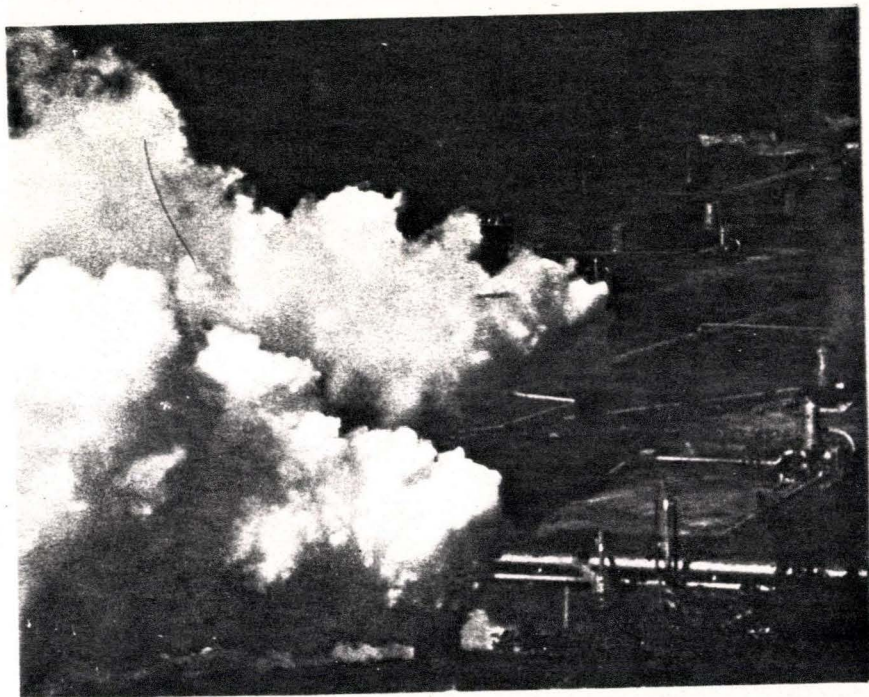
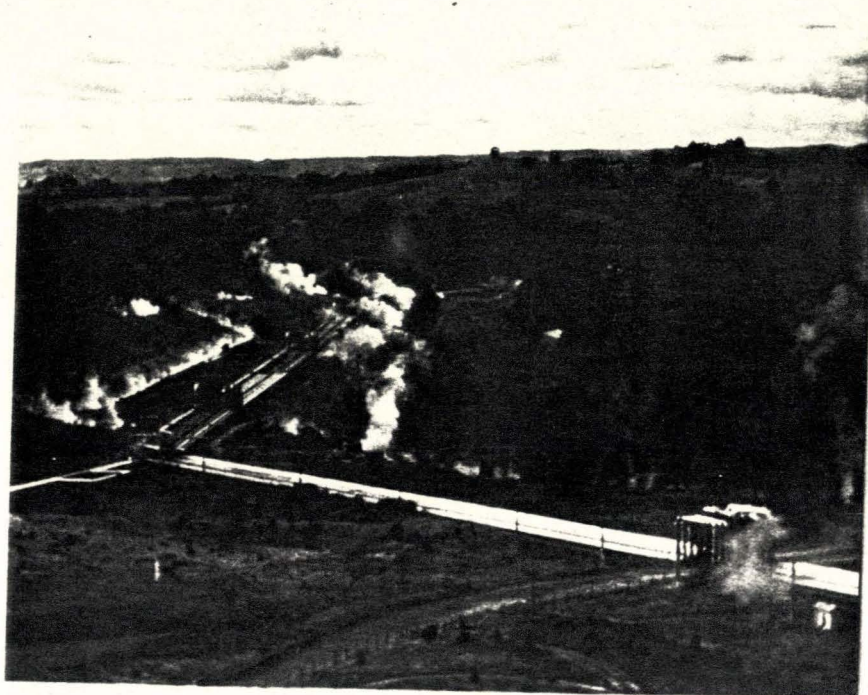
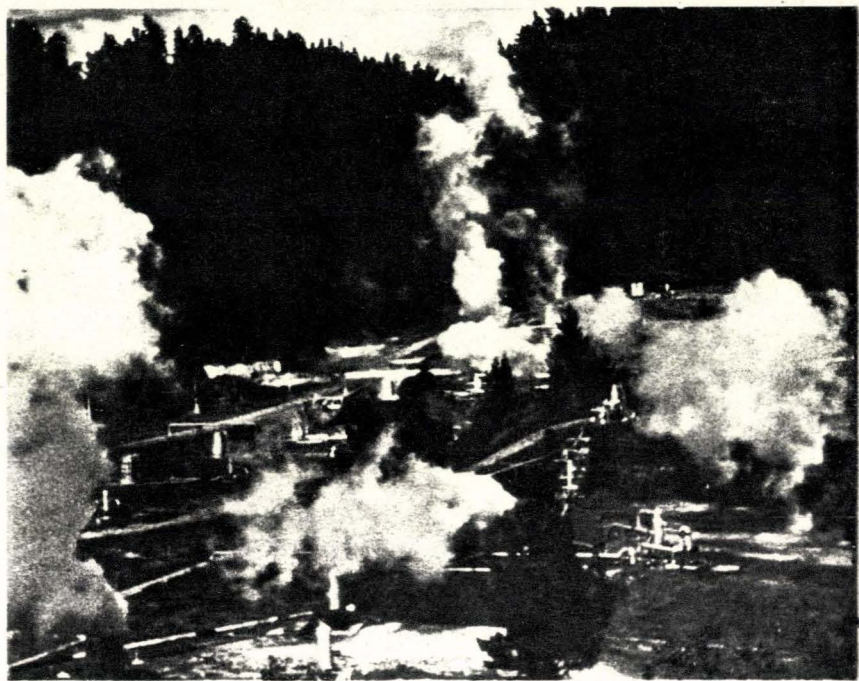
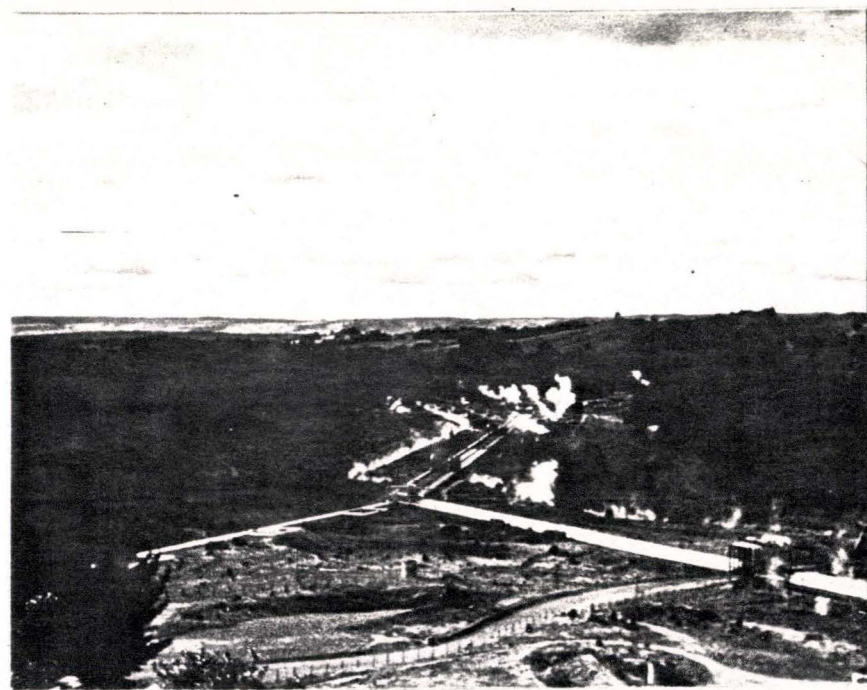
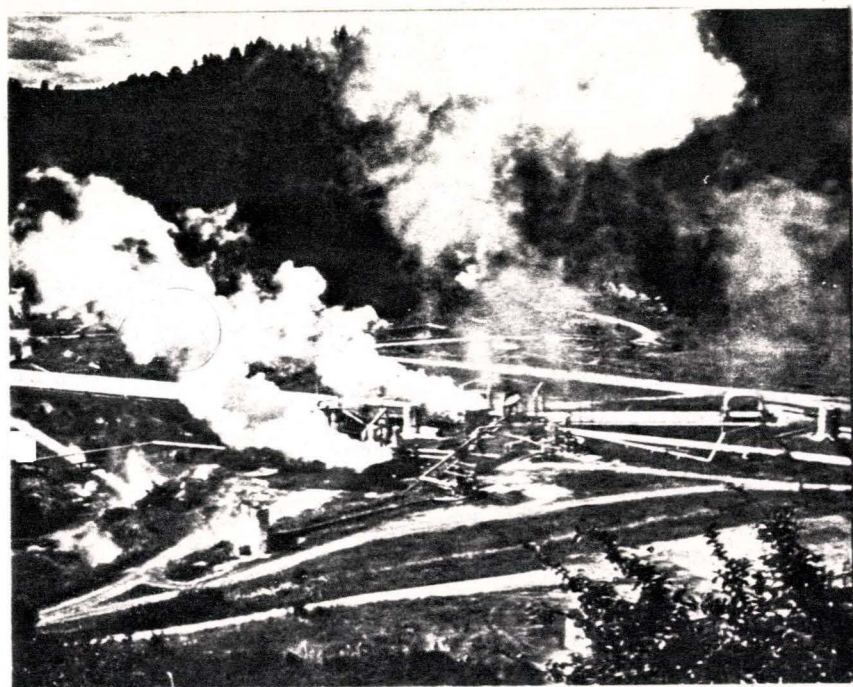
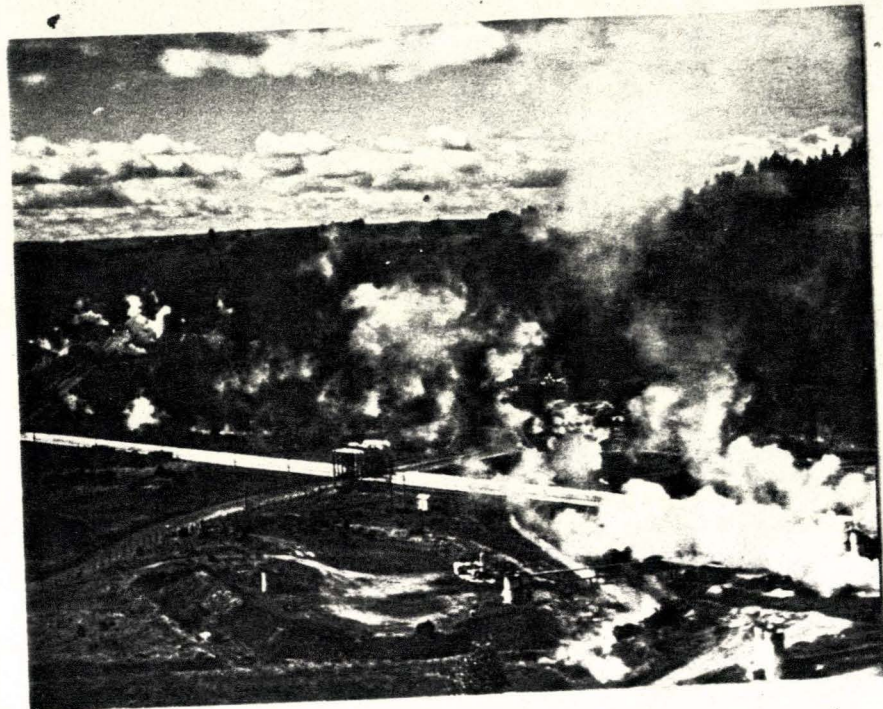
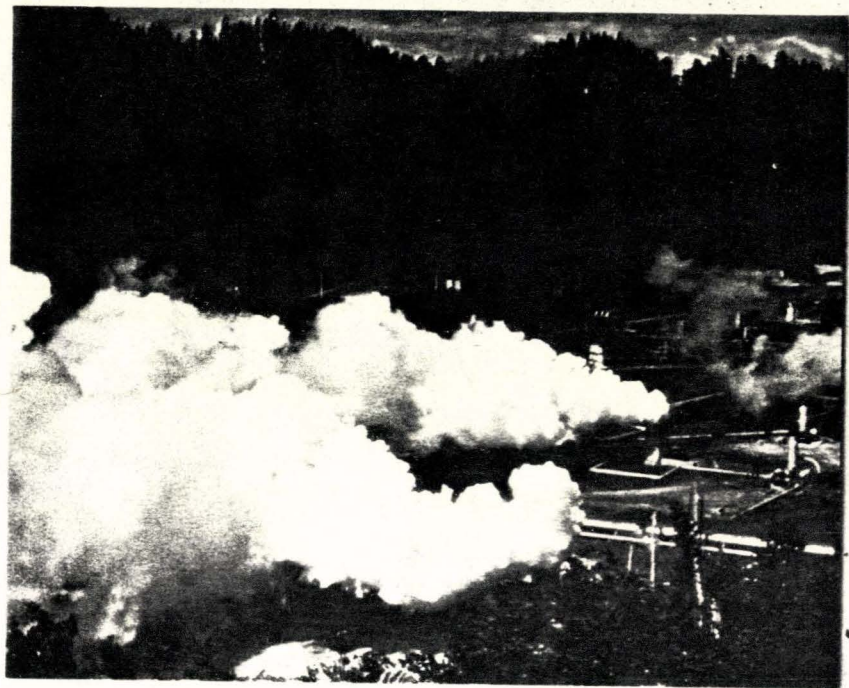


EXHIBIT UU





3038 GREENSHAW, LITTLE ROCK, ARK.

SOFT CENTURY PASTES, INC.

