

Hawaiian Rights on Ceded Land

The Wao Kele O Puna Forest is the last lowland tropical rainforest in Hawai'i. It was set aside as a Natural Area Reserve to protect the native Hawaiian plants, birds and insects who dwell there. 95 percent of the plants in this forest cannot be found anywhere else in the world and several are already endangered.

In Pele traditions, the plants and trees of the Puna forest are kino lau or body forms of family members of Pele who help to appease the more aggressive nature of the volcano. The forest is a natural filter for gases that are emitted by the volcano. The trees and plants found here help to regenerate the forest in the aftermath of lava flows. The deities of the forest are honored as 'aumakua of the Puna and Ka'u families who trace their ancestry to Pele.

The Wao Kele O Puna lands are part of the Crown and Kingdom lands that were confiscated by the Provisional Government at the time of the overthrow in 1893 and then ceded to the United States in 1898. Known today as the ceded public lands trust, these lands are managed by the State of Hawai'i's Department of Land and Natural Resources for two beneficiaries - the native Hawaiians and the general public. Section 5f of the Admissions Act says that the land is to be used for five purposes:

The support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the profision of lands for public use.

In 1985, the Department of Land and Natural Resources gave 27,000 acres of the Wao Kele O Puna to the Campbell Estate in exchange for 25,000 acres at Kahauale'a. However, 15,000 acres at Kahauale'a is freshly erupted lava, 200 acres was wood chipped, and 5,600 acres is promised to the Volcano National Park. This leaves our public land trust with only 4,200 acres of good forest land.

Campbell Estate wanted the land exchange in order to dig geothermal wells that will run electric plants to generate 500 megawatts of electricity that will be sent to O'ahu through an undersea cable. The developer of the geothermal electricity project is True/Midpacific Geothermal Company out of Wyoming. Their plans include clearing the forest to dig 80 wells, building five power plants, constructing miles of roads and pipelines, and erecting cooling towers hundreds of feet high. Land will also be cleared for numerous silica dropout ponds which will seep polluted water into the Puna water table. Like the existing HGPA 2 megwatt power plant in Pohoiki, these plants will emitt foul odors and poisonous gases that cause conjunctivitis, rhinitis, pharyngitis, asthma and respiratory distress in chronic lung conditions. Without the forest to provide a natural filter, these gases will linger over Puna and Ka'u and blow into Kona as well as Hilo, contributing to acid rain formation which will negatively affect agriculture, fishing and tourism in these districts.

The State of Hawai'i has never done an in-depth study to justify its geothermal policy. Such a study would show that it is an exorbitant, highly speculative and dangerous source of electricity. The total cost to develop geothermal electricity for O'ahu, including the cable is \$4 billion. By comparison, the total operating budget of the County of Hawai'i for one year is \$70 million. Taxpayers, nationally and locally, will pay the cost of developing geothermal energy. Rate payers will pay much higher utility bills for many years to come, much like the utility consumers in Washington State who will be paying back government bonds that were issued to build 5 nuclear plants over the next 20 years, when only one will actually ever be built.

The Puna forest sits on top of the active rift zone at the epicenter of earth tremors and earthquakes. Pele is actively erupting in this zone. Any electric plant that is built there will be vulnerable to leakage, faulting and could collapse.

Who will benefit from geothermal energy? Not the taxpayers, not the users of electricity, not the native Hawaiians, and not the residents in the surrounding agricultural communities. In the Wao Kele O Puna, Campbell Estate and True/Midpacific Geothermal Company stand to profit from its development. The Ariyoshi administration made it very easy for Campbell Estate to get permits to develop geothermal energy in the Wao Kele O Puna Forest Reserve. The law was changed to give Campbell exclusive rights to lease the geothermal "mining" rights. Thus, there was not competitive bidding for the lease. Even though drilling permits were issued based upon an Environmental Impact Statement for their Kahauale'a land, Campbell was not required to conduct a new environmental impact assessment to drill in the Wao Kele O Puna. Yet the Wao Kele O Puna has a totally different environment, plant and animal species and archaeological sites.