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SB 107
RELATING TO GEOTHERMAL ENERGY

Statement for
Senate Committee on
Science, Technology and Economic Development
Public Hearing - February 25, 1990

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SB 107 would amend HRS 196-2 by adding a new definition titled "geothermal energy transmission corridor."

Our statement on this bill does not represent an institutional position of the University of Hawaii.

The corridor would include any overland pathway designated and adopted by the Department of Business, Economic Development and Tourism (DBEDT), as a corridor for the construction and establishment of electrical transmission lines, pipelines or any other form of infrastructure necessary for the transmission of any form of energy generated through geothermal sources including but not limited to thermal energy, electrical energy, or water power. The corridors may also be used for the transmission of telecommunication and electric trains.

The bill also amends HRS 196 by adding a new part to be designated "Overland Geothermal Energy Transmission Corridors." Under this new part, DBEDT is designated as the lead agency and is given authority to establish the Geothermal Energy Transmission Corridors in consultation with the Department of Land and Natural Resources (DLNR) and the counties. Provision is also made for acquisition, compensation, operation, management and disposition of the corridors.

Section 4 of the bill deletes reference to geothermal or hydroelectric energy from HRS 277.

The definition of a geothermal energy transmission corridor is exceptionally broad and would even apply to "water power," "telecommunications" and "electric trains," as well as "any form of infrastructure" related to geothermal resources. We call attention to two areas of concern with respect to SB 107.

The first relates to the apparent lack of guidance to the DBEDT for criteria on which to design a Geothermal Energy Transmission Corridor. As presently designated, DBEDT seems to have unlimited authority to designate corridors, with no formal requirements for consideration of social or environmental concerns. Will applicable state and county statutes such as conservation district permits, shoreline management area permits and environmental assessments under HRS 343 be required prior to any Geothermal Energy Transmission Corridor?

Second, what safeguards will be provided to assure that concerns raised by county governments or DLNR are given full consideration in decision making and in particular will there be any means for the county or DLNR to override a decision by DBEDT?

We appreciate the opportunity to provide comments on this bill.