

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committees on
WATER, LAND AND OCEAN RESOURCES
and
ENERGY AND ENVIRONMENTAL PROTECTION**

**Monday, March 30, 2009
10:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 138/HOUSE RESOLUTION 111
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
REMOVE THE KA'OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCE
SUBZONE DESIGNATION**

House Concurrent Resolution 138/House Resolution 111 requests the Department of Land and Natural Resources (Department) to remove the geothermal subzone designation applied to the Ka'ohe Homesteads located in the Puna District of the Big Island. The Department does not support these resolutions due to the lack of compelling reason(s) at this time. Further, given the uncertainties of the fiscal situation, the impact on the Department's operating budget, the need to direct new efforts to apply for federal stimulus grants, which will come with additional reporting requirements, the Department's personnel and fiscal resources are being spread thin.

The Department notes that a request to modify or withdraw lands from existing subzones must be done in accordance with §13-184-10, Hawaii Administrative Rules. The modification of the boundaries of an existing designated geothermal resource subzone may be initiated by the Board of Land and Natural Resources (Board) or any property owner, State mining lease applicant, geothermal mining lessee, or person with an interest in real property that is within the designated subzone. Compelling information should be provided with such a request. The Board may modify the boundaries or withdraw an existing designated geothermal subzone after conducting procedures pursuant to Chapter 91, Hawaii Revised Statutes (Administrative Procedure) and only upon finding by a preponderance of the evidence that the area is no longer suited for designation.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



HCR 138/ HR 111

**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REMOVE
THE KA'OHE HOMESTEADS FROM THE GEOTHERMAL RESOURCE SUBZONE
DESIGNATION**

**HOUSE COMMITTEE ON WATER, LAND & OCEAN RESOURCES
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

Date: March 30, 2009 Time: 10:00 Am
Room: 325

Aloha Chairs Ito, Morita, Vice Chairs Har, Coffman and
Members.

The Office of Hawaiian Affairs (OHA) **SUPPORTS HCR 138/HR
111** requesting that the Department of Land and Natural Resources
remove the geothermal resource zone designation over the Ka'ōhe
homestead lands. Further, OHA has no intentions of doing any
geothermal development at Wao Kele o Puna.

Mahalo for this opportunity to testify.