Mr. David R. Harada-Stone  
President  
Big Island Press Club  
P. O. Box 1920  
Hilo, HI 96720

Dear Mr. Harada-Stone:

Thank you for your letter of July 18, 1989, to the members of the Board of Land and Natural Resources on behalf of the Big Island Press Club.

Your point of the added agenda item D-6 relating to geothermal permitting is acknowledged and well-taken. The members did approve adding it to the agenda; however, because of the add-on nature of this important and public interest matter and wanting the minutes and/or transcripts of the public hearings be provided to members of the Board and that a briefing of Board members be scheduled prior to the next meeting of the Board, the item was deferred. It could be argued that it should not have been added. To precipitate discussion and have the reason for deferring on the record is sometimes used to make a point.

The April 14, 1989, added item was the filling of a conservation and resources enforcement officer position. In this instance, we do not feel the item was of major importance affecting a significant number of persons but rather a routine personnel matter.

The Department will provide timely notification of added agenda items that are of "major importance and action thereon by the board will affect a significant number of persons."

Very truly yours,

William W. Paty

cc: Members of the Board
to the media, and thus, the public. Although the board's staff explained that a legal notice had been published regarding the additions, the Press Club believes that such measures, while perhaps meeting the letter of the law, ignores its spirit.

We would note that the Hawaii County Planning Commission, by contrast, sends written notices to the media of additions to its agenda, dating the notices to ensure that they meet the time requirements mandated by statute.

The Big Island Press Club hereby requests:

1. An explanation of the apparent failure of the Land Board to supply written notification of all agenda items on a timely basis.

2. An assurance that the news media and the general public will receive complete and timely notification in the future.

Sincerely,

David R. Harada-Stone
president,
Big Island Press Club
ITEMS ADDED TO THE
AGENDA OF THE
BOARD OF LAND AND NATURAL RESOURCES MEETING

APRIL 14, 1989

DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT

Item I-2 -- Filling of Position No. 02955, Conservation and
Resources Enforcement Officer IV, Island of Hawaii.
REF: UH-34

TO: Honorable Johnson Wong, Deputy Attorney General
   Land/Transportation Division

FROM: Randall Young, Deputy Attorney General


Enclosed for your review are copies of testimonies received at public hearings held on Maui, Hawaii and Oahu on June 21, 1989. No testimony was received at the hearing on Kauai. We will continue to accept written testimony through July 7, 1989, and will forward any testimony received to you immediately.

Under separate cover, copies of the court reporters' transcripts from the Maui and Hawaii hearings were sent to you by messenger service. No transcript was kept of the Oahu and Kauai hearings.

If you have any questions, please call Dan Lian at 7843.

NARAHU TAGONORI

Enclosures
RE: EL-491

July 11, 1982

MEMORANDUM

To:     Mr. Sue Lee, Legal Agent
        Land Management Division

From:   Yama Bruce Engeneri, Manager-Grant Engineer
        Division of Water and Land Development

SUBJECT: Appreciation for Assistance with Public Hearing

Thank you for taking charge of the recent public hearing on the administrative rules for Act 301, SL 1981 "Geothermal and Cable Systems Development Permitting Act of 1981".

Although there was little apparent interest in the hearing subject, your participation made it possible to offer a hearing on Said.

Thank you again for your cooperation.

Yours sincerely,

[Signature]

Yama Bruce Engeneri
MEMORANDUM

TO: Mr. Maurice Matsuzaki, Enforcement Chief
Conservation and Resources Enforcement Division

FROM: Manabu Tagomori, Manager-Chief Engineer
Division of Water and San Development

SUBJECT: Appreciation for Assisting with Public Hearings

Thank you for your assistance in providing security services for public hearings in Hilo and Maui. Enforcement personnel were very helpful in guiding the public to the hearing site, in providing a presence for order, and in helping pack up and carrying gear after the close of the hearings.

Thank you again for your cooperation.

[Signature]

MANABU TAGOMORI
OPENING REMARKS
PUBLIC HEARING 6/21/89 7:00 A.M.
ADMINISTRATIVE RULES TO IMPLEMENT ACT 301, SLH 1988

The Administrative Rules under consideration this evening are to implement Act 301, Session Laws of Hawaii 1988, pursuant to requirements of Hawaii Revised Statutes Chapter 91 relating to administration.

Act 301 provides for a consolidated permitting process for geothermal/cable projects, in which the Department of Land and Natural Resources shall be the lead agency. It provides for coordination among agencies in order to streamline the often duplicative permitting requirements of the various agencies and it provides for developing a consolidated application form. It provides for an Interagency Group of all permitting agencies affected by such a project, and it provides for a consolidated review team to coordinate requirements such as environmental impact statements and public hearings. It provides that State and county agencies shall participate in the consolidated permitting process, and it assures full cooperation to federal agencies that may participate on a voluntary basis. The Act provides for a joint agreement among the agencies to participate in the process for each project. The joint agreement will provide details of timetables and schedules for coordinating and consolidating whatever requirements can be processed jointly; the joint agreement also provides a mechanism for resolving conflicts. The Act also provides for an information center and a repository of documents for prospective project applicants. The Act calls for monitoring the permitting process itself to provide feedback to the legislature should legislative changes be recommended, and it calls for an Annual Report. The Act provides for staffing to carry out the functions called for.

The proposed administrative rules provide operating procedures to implement the provisions of Act 301 outlined above. The member agencies of the Interagency Group are named; the scope of the joint agreement is provided; the application procedure is provided, with addresses where to obtain and submit permits; a fee schedule is included; provision for transfer of certain permitting functions from the Land Use Commission and from the Department of Transportation to the Department of Land and Natural Resources for geothermal permitting purposes is provided; provision regarding contested case hearings is provided, to the effect that any appeal from a decision made by the agency pursuant to a public hearing or hearings required in connection with a permit shall be made directly on the record to the supreme court for final decision subject to chapter 602, Hawaii Revised Statutes; a conflict resolution process is provided, and provisions for monitoring are provided.

Notwithstanding any previous notice, deadline for receipt of written comments on the proposed rules is July 7, 1989.
JUN 14 1989

AUTHORIZATION

To: Charles Matsuzaki, Enforcement Chief
Conservation and Resources Enforcement Division

From: Mimma Tagosoki, Assistant Chief Engineer
Division of Water and Food Development

SUBJECT: Request for two enforcement personnel at Public Hearings June 21, 1989, in Hilo and in Kahului
(Two personnel at each location)

The public hearings for Act 361, SLH 1986, "Geothermal and Cable System Development Permitting Act of 1986", originally scheduled for May 30, 1989, have been rescheduled for June 21, 1989. As large crowds are anticipated to attend this controversial hearing, this is to request assigning two enforcement personnel to each of the two hearing sites, Hilo and Kahului.

Funds are available to pay for overtime and travel expenses for these enforcement personnel. Please let me know if this assignment will be possible by calling me at Ext. 7533.

MIMMA TAGOSOKI
May 25, 1989

Memorandum

To: Manabu
From: Janet

Subject: Late Publication of Rescheduled Hearings Notice by Maui News

As discussed at our staff meeting this morning, Lana of Maui News called yesterday to apologize for the "major" error that Maui News made in publishing our legal notice May 23 instead of May 22 as requested in our FAX of May 18. Because our deadlines were so tight (in order to coordinate the hearings for the same evening, and several meeting places at each island were all booked - the 21st was the only date during the week of June 19 when a facility on each island was available), the Maui News change of date made the notice one day short of 30 days advance notice. (Per Bill Tam you count starting with the day before the hearing - the 30th day would be the latest you could publish the notice.)

I called Randy Young and explained the situation to him. He said he would research it and call me back which he did. He said that the statute that calls for the 30 days refers just to the newspaper of statewide circulation. A notice must be published in county papers as well, but the time factor doesn't apply to those newspapers. Therefore the change of date by Maui News will not cause us to have to republish.

Randy expressed that in the future we should not plan the notices so close to the date of hearing, in order to avoid this kind of problem. I had explained to him our desire to hold the hearing the same night if possible. He suggested next time loosen up the schedule a little so we don't have to count days.
MAY 21, 1989

Ms. Anna Carter, Consultant
3125 Carvel Drive
Santa Rosa, California 95405

Dear Ms. Carter:

Thank you for your telephone inquiry regarding permitting rules and regulations. Enclosed for your information is a copy of an announcement of public hearings to be held on June 21, 1989, on the proposed administrative rules for geothermal and cable system development permitting. Also enclosed for your information is a copy of Act 301 and a copy of the proposed administrative rules to implement Act 301.

In addition I am sending you a copy of geothermal/cable permitting regimes. This is not an all inclusive list, but it contains the major permits anticipated to be required for an inter-island geothermal/cable undertaking.

If I may be of further service to you please do not hesitate to contact me at (616) 348-7533.

Sincerely Yours,

Manaka Tajimori
Deputy Director

Enc.
07:18-32: May 29, 1989

Mr. Vaughn Baker
Pali Community Center
Department of Community Services
310 Pali Highway Avenue
Ewa Beach, Oahu, Hawaii 96706

Dear Mr. Baker:

SUBJECT: Use of Community Service Building
June 21, 1989

This is to confirm our request to use the Community Service Building on June 21, 1989 at 7:00 p.m. to conduct a public hearing on the administrative rules for Act 161, SLH 1988, "Geothermal and Cogeneration Permitting Act of 1988".

Mr. Dean Hikono will stop by to pick up the key to the facility before 4:00 p.m. on Wednesday, June 21, 1989.

Thank you very much for your cooperation in this matter.

Very truly yours,

MANAPU TAGOMORI
Deputy Director
TO: Honorable Johnson Wong, Deputy Attorney General
Land/Transportation Division

FROM: William W. Paty, Chairperson

SUBJECT: Public Hearing Notice for Administrative Rules
for Act 301, SLH 1988, "Geothermal and Cable
System Development Permitting Act of 1988".

Per your request of May 24, 1988, I am forwarding to you a
notice of rescheduled public hearing for your review of
compliance with section 91-3, Hawaii Revised Statutes, as
amended by Act 64, SLH 1989.

WILLIAM W. PATY

Attach.
TO: Mr. Sam Lee, Land Agent
   Division of Land Management

FROM: Hanae Tagoshiri, Manager and Chief-Engineer
   Division of Water and Land Development

SUBJECT: Public Hearing May 30, 1988 on Administrative
   rules for Act 301, SLA 1968, "Geothermal and
   Cable System Development Permitting Act of 1968."

   I appreciate your cooperation in serving as master of this
   public hearing.

   Per your request I am enclosing a copy of the Notice of
   Public Hearing for the subject rules. This hearing will take
   place at 7:00 p.m. Tuesday evening May 30, 1988, at the State
   Conference Rooms A, B and C. The room has been reserved but
   you must pick up the key during office hours from the DADSS
   office.

   I am enclosing per your request two blank recording tapes
   and ten copies of the proposed rules.

   Please call me at 543-7533 if you have any questions.

   HANA E TAGOSHIRI

Enc.
MAY 0-9, 1969

Mr. Frank Bacot, Assistant Chief
Administration & Operations Development Division

Mr. Thomas Togolilo, Manager-Engineer
Division of Inter and Local Development

REQUEST TO ATTEND FOR SECURITY FOR MAY 30, 1969 Public Hearing

This is to request two individuals from your division to be present at the public hearings on May 30, 1969, regarding
administrative rules for Act 301, the 1968 "Central and Cable System Development Permitting Act of 1968". I anticipate
that the meetings in Hilo and Kona will be heavily attended as the topic is a controversial one. The hearing officer may
need assistance in keeping order.

Funds are available to provide overnight pay, air fare, ground transportation, and per diem for two individuals to Hilo
and back to Hilo. Please let me know at your earliest convenience the names and home numbers of individuals who may
assist us in keeping order at these hearings.

If you have any questions, please call me at ext. 7133.

[Signature]

[Name] Togolilo
NOTICE OF PUBLIC HEARING

Proposed Administrative Rules for
Geothermal and Cable System Development Permitting

MAY 30, 1989

Public hearings will be held by the Department of Land and Natural Resources to receive testimony on proposed administrative rules to implement Act 301, Session Laws of Hawaii, 1988, "Geothermal and Cable System Development Permitting Act of 1988".

Act 301 provides for a consolidated permitting process for geothermal and cable system development projects, in which the Department of Land and Natural Resources shall be the lead agency. It provides coordination among agencies in order to streamline the often duplicative permitting requirements of the various agencies and it provides for developing a consolidated application form. It provides for an Interagency Group of all permitting agencies affected by such a project, and it provides for a consolidated review team to coordinate requirements such as environmental impact statements and public hearings. It provides that State and county agencies shall participate in the consolidated permitting process, and it assures full cooperation with Federal agencies that may participate on a voluntary basis.

The Act provides for a joint agreement among the Interagency Group members to participate in the process for each project. The joint agreement will provide details of timetables and schedules for coordinating and consolidating whatever requirements can be processed jointly; the joint agreement also provides a process for resolving conflicts. The Act also provides for an information center and a repository of documents for prospective project applicants.

The proposed administrative rules provide operating procedures to implement the provisions of Act 301 outlined above. The member agencies of the Interagency Group are named; the scope of the joint agreement is provided; the application procedure is provided, with addresses where to obtain and submit permits; a fee schedule is included; a provision for transfer of certain permitting functions from the Land Use Commission and from the Department of Transportation to the Department of Land and Natural Resources for geothermal permitting purposes is provided; a conflict resolution process is provided; and provisions for monitoring the permitting process are provided.

The public hearings will be held on May 30, 1989 at 7:00 p.m. at the following places:

Department of Land and Natural Resources
Board Room, Room 132, Kalanimoku Building
1151 Punchbowl Street, Honolulu, HI 96813

Kahului Public Library Meeting Room
90 School Street, Kahului, Maui 96732
State Conference Rooms A, B, C
State Office Building, 2nd Floor
Lihue, Kauai 96766

University of Hawaii Hilo Campus
Campus Center, Room 306-307
Kawili Street, Hilo, Hawaii 96720

All interested parties are urged to attend the hearings and submit comments, orally or in writing. Copies of the proposed rules may be obtained from the Division of Water and Land Development, Department of Land and Natural Resources, Room 227, 1151 Punchbowl Street, Kalanimoku Building, Honolulu, Hawaii 96813 (phone #548-7539) and at the following locations:

State Office Building
75 Aupuni Street, Hilo, Hawaii 96720

State Office Building
54 High Street, Wailuku, Maui 96793

State Office Building
3060 Eiwa Street, Lihue, Kauai 96766

Kaunakakai Library
395 Kaunakakai Street, Kaunakakai, Molokai 96748

The Department of Land and Natural Resources will continue to accept written testimony until June 15, 1989. Testimony developed after the hearings should be mailed to the Division of Water and Land Development, P.O. Box 621, Honolulu, Hawaii 96809.

State of Hawaii
BOARD OF LAND AND NATURAL RESOURCES

Dated: May 4, 1989

WILLIAM W. PATY, Chairperson

Publish in:
Honolulu Star-Bulletin, issue of May 9, 16, and 23, 1989
West Hawaii Today, issue of May 9 and 23, 1989
Hilo Tribune Herald, issue of May 9 and 23, 1989
Maui News, issue of May 9 and 23, 1989
Garden Island, issue of May 8 and 22, 1989

-2-
NOTICE OF PUBLIC HEARING

DATE: Wednesday, February 1, 1989
TIME: 3:00 - 5:00 p.m.
PLACE: Conference Room 226 (Old CR 5), State Capitol

AGENDA

BUDGET HEARING

Dept. of Budget and Finance

BUF 901 Transportation, Communication and Utility

Dept. of Business and Economic Development

BED 103 Land Use and Coastal Management
BED 120 Energy Development and Management

Dept. of Land and Natural Resources

LNR 153 Commercial Fishery and Aquaculture
LNR 172 Forestry - Products Development
LNR 401 Aquatic Resources
LNR 402 Forests and Wildlife Resources
LNR 403 Mineral Resources
LNR 404 Water Resources
LNR 405 Conservation and Resources Enforcement

IT IS REQUESTED THAT ALL TESTIMONY BE IN WRITING ON 8½" x 11" PAPER (ONE-SIDED), WITH A TOP MARGIN OF ONE INCH. TWENTY-FIVE (25) COPIES SHOULD BE SUBMITTED TO ROOM 201 AT LEAST 24 HOURS PRIOR TO THE HEARING. FOR FURTHER INFORMATION, PLEASE CALL 548-6291.
Program ID and Title: LNR 403, Mineral Resources
Page Reference in Multi-Year Program and Financial Plan:
Vol. II, Pages 837-840

I. Introduction:

A. Summary of Program Objectives:

Manage the development, conservation, and protection of the State's mineral resources.

B. Description of Program Activities:

1. Regulate the development of geothermal resources.

2. Administer an interagency development group.

3. Investigate and designate geothermal resources subzones.

4. Compile and maintain inventories of mineral resources and quarrying activities in the State, including field inspection, monitoring of mineral resources production, and mining activities.

5. Conduct geologic mapping.

II. Problems and Issues

The Geothermal and Cable System Development Permitting Act of 1988 (Act 301), established within the Department of Land and Natural Resources, a consolidated permitting and review program for the development of geothermal resources and cable system activities. An interagency development group was provided to implement the provisions of the law.

With funds provided by Act 301, the Department has hired personnel, drafted administrative rules for adoption, established the interagency group, and meeting sessions have begun.

Funds to continue implementing Act 301 activities are being requested as outlined in Section IV A page 3.
III. Expenditures for FY 88-89

<table>
<thead>
<tr>
<th></th>
<th>Appropriations FY 1988-89 Act 390/88</th>
<th>Act 400/88 C/B Augmentation Act 220 &amp; 221/87</th>
<th>Transfer In</th>
<th>Transfer Out</th>
<th>Governor's Restrictions</th>
<th>Estimated Total Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>(3.00)</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>(92)</td>
<td>$86,040</td>
</tr>
<tr>
<td>Current Expenses</td>
<td>$72,132</td>
<td>$14,000</td>
<td>--</td>
<td>(92)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment</td>
<td>0</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>(850)</td>
<td>12,293</td>
</tr>
<tr>
<td>Motor Vehicles</td>
<td>0</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$85,053</td>
<td>$14,222</td>
<td>--</td>
<td>(942)</td>
<td></td>
<td>$98,333</td>
</tr>
</tbody>
</table>

A. Explain all Transfers Within the Program I.D. and its Impact on the Program

None

B. Explain all Transfers Between Program I.D.'s and its Impact on the Program

None

C. Explain all Governor's Restrictions and the Impact on the Program

Minor reductions in personal services and other current expenses will have no major impact on the programs.
LNR 403, Mineral Resources


<table>
<thead>
<tr>
<th>(Pos. Count)</th>
<th>Budget Request FY 89-90</th>
<th>Budget Request FY 90-91</th>
<th>Total Biennium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services</td>
<td>(3.00)</td>
<td>(3.00)</td>
<td>(3.00)</td>
</tr>
<tr>
<td></td>
<td>$126,690</td>
<td>$126,690</td>
<td>$253,380</td>
</tr>
<tr>
<td>Current Expenses</td>
<td>158,585</td>
<td>159,855</td>
<td>318,440</td>
</tr>
<tr>
<td>Equipment</td>
<td>12,100</td>
<td>7,550</td>
<td>19,650</td>
</tr>
<tr>
<td>Motor Vehicles</td>
<td>12,842</td>
<td>-0-</td>
<td>12,842</td>
</tr>
<tr>
<td><strong>TOTAL REQUIREMENTS</strong></td>
<td><strong>$310,217</strong></td>
<td><strong>$294,095</strong></td>
<td><strong>$604,312</strong></td>
</tr>
</tbody>
</table>

General Fund

(3.00) $310,217 $294,095 $604,312

Program Change Request included in above figures.

**Geothermal and Cable Development Program**

A. Description of Positions and Funding Requirements by Cost Category and Source of Funds

Program Change Request, LNR 403

Planner V SR24D $28,512 (Exempt)
Secretary I SR10C $16,032 (Exempt)

<table>
<thead>
<tr>
<th>(Pos. Count)</th>
<th>Budget Request FY 89-90</th>
<th>Budget Request FY 90-91</th>
<th>Total Biennium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services</td>
<td>(0.00)</td>
<td>(0.00)</td>
<td>(0.00)</td>
</tr>
<tr>
<td>Current Expenses</td>
<td>150,000</td>
<td>150,000</td>
<td>300,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>5,000</td>
<td>1,000</td>
<td>6,000</td>
</tr>
<tr>
<td>Motor Vehicles</td>
<td>12,842</td>
<td>-0-</td>
<td>12,842</td>
</tr>
<tr>
<td><strong>TOTAL REQUIREMENTS - GENERAL FUND</strong></td>
<td><strong>$212,386</strong></td>
<td><strong>$195,544</strong></td>
<td><strong>$407,930</strong></td>
</tr>
</tbody>
</table>

B. Explanation of Program Request and Objectives to be Accomplished

-3-
LNR 403, Mineral Resources

Administer the management, conservation, protection, development and utilization of geothermal resources by the development and administration of a permitting procedure and the administration of an interagency development group.

V. Capital Improvements Request for FY 1989-91

None