

COUNTY OF HAWAI'I
PLANNING COMMISSION

GEOHERMAL ASSET FUND CLAIMS FORM

CLAIMANT: _____

CLAIMANT'S SIGNATURE: _____ DATE: _____

ADDRESS: _____

TELEPHONE NO. (BUSINESS) _____ (RESIDENCE) _____

TAX MAP KEY (if applicable): _____

NATURE OF CLAIM:

THIS PETITION MUST BE NOTARIZED AND ACCOMPANIED BY:

1. List of documents supporting the claim, showing evidence of adverse impact.
2. Additional information regarding the nature of the claim, including the way in which the claimant has been adversely impacted and the compensation sought.
3. When the claimant is an organization, the claimant shall submit a list of officers, a membership list, and a copy of the organization's by-laws.
4. Original and twenty (20) copies of this claim form and all supporting documents.

Subscribed and sworn to, before me

this _____ day of _____

Notary Public, State of Hawai'i

My commission expires:

COUNTY OF HAWAI'I PLANNING COMMISSION

ELIGIBILITY OF GEOTHERMAL ASSET FUND CLAIMS

Claims for compensation from the Geothermal Asset Fund (GAF) may be filed by any person or organization who is adversely impacted under the activity of geothermal development authorized under Geothermal Resource Permit (GRP) No. 2 issued to Puna Geothermal Venture. Persons or organizations that have already been compensated for damage claims due to a specific event through means other than this GAF, shall not be eligible to file claims for compensation for the same event against this fund. Claims filed with the County of Hawai'i Planning Department prior to the adoption of County of Hawai'i Planning Commission Rule No. 12 (Geothermal Asset Fund) may be reaffirmed through the filing of the attached Geothermal Asset Fund Claims Form. The claims form and supporting documents shall be filed with the County of Hawai'i Planning Department, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720.

1. Claims for community approved mitigation projects shall address the alleviation or attenuation of direct detrimental effects of geothermal operations carried out pursuant to GRP No. 2.
2. Claims for temporary relocation shall indicate the dates and duration.
3. Adverse impacts shall include physical injury, medical and health conditions, business or economic loss, nuisance, or any other claim of adverse impact which is able to be substantiated by evidence.
4. Adverse impact claims may be supported by documents such as doctor's affidavits, photographs, bills, invoices, other expert opinions or testimony, etc. Documents shall be provided upon request.
5. Claims will be acted upon with initial filing date setting the first come, first served basis. Any claim received before the adoption of Rule No. 12 shall be resubmitted in accordance with the criteria and guidelines set forth in the rule.
6. An action on the merits of a claim by the professional claims adjuster to recommend approval or denial of a claim and subsequent Planning Commission action to confirm or reject the claims adjuster's recommendation shall, after exhaustion of the Planning Commission appeal process, become final and shall bar any subsequent claim before the Planning Commission by the same claimant based upon the same facts.