

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 376  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 376, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the mining, extraction, and removal of minerals from the seabed in all state marine waters; and
- (2) Prohibit the issuance of any permit for or in connection with the development or operation of any facility or infrastructure associated with the mining, extraction, or removal of minerals from the seabed within state marine waters.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, University of Hawai'i System, Hawai'i State Youth Commission, Hawai'i Reef and Ocean Coalition, Parley for the Oceans, Environmental Caucus of the Democratic Party of Hawai'i, Sustainable Ocean Alliance Hawai'i, Sierra Club of Hawai'i, Hawai'i Youth Climate Coalition, Hawai'i Wildlife Fund, Hawai'i's Thousand Friends, Mālama Pūpūkea-Waimea, Sustainable Coastlines Hawai'i, National Parks Conservation Association, Deep Sea Mining Campaign, Oceanic Preservation Society, 350Hawai'i, The Surfrider Foundation, Blue Climate Initiative, Tetiaroa Society,



Rev Ocean, Benioff Ocean Science Laboratory, The Marine Mammal Center, The Conservative Collective, The Ocean Foundation, Marine Conservation Institute, Greenpeace USA, Kauai Women's Caucus, Te Ipukarea Society, Moana Ohana, Friends of Hanauma Bay, For the Fishes, Animal Welfare Institute, Wild Kids, Na Mamo O Mu'olea, HULI PAC, Maui Nui Marine Resource Council, and forty-three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State's marine waters are home to rich, diverse, and globally significant ecosystems that host thousands of species, with a biodiversity that may be comparable with tropical rainforests. Your Committee also finds that Hawaii's deep water column and seafloor are critically important to its people, who maintain strong spiritual, cultural, and economic connections to the deep ocean. Your Committee finds that seabed mining poses an unacceptably high risk of damage and disruption to these important marine environments and ecosystems, which may take decades, if not hundreds of years to recover, and threaten ocean-dependent industries, including commercial and recreational fishing and tourism. Your Committee therefore finds that seabed mining is inconsistent with the public interest and the State's obligation to protect its waters under the Hawaii State Constitution. This measure will protect the State's marine ecosystem by prohibiting seabed mining and related activities from occurring in state marine waters.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 376, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 376, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

*Karl Rhoads*

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KARL RHOADS, Chair



