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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 16, 2023
10:00 AM
State Capitol, Room 312

S.B. 1505 S.D. 2
RELATING TO TRANSPORTATION

House Committee on Transportation

The Department of Transportation (DOT) **supports** this measure that aims to restrict vessels that have been engaged in specific unpermitted or unlicensed activities from entering or departing ports in the state's commercial harbor system.

DOT supports the objective of limiting undersea mining that is harmful to undersea ecosystems and trafficking illegal commodities sourced from these mining activities. DOT also appreciates the amendment approved by the Senate Committee on Transportation and Culture and the Arts to clarify that DOT will take action upon receipt of notice from a federal agency or law enforcement agency on vessels or crews engaged in specified unlawful activities.

Thank you for the opportunity to provide testimony.



To: The Honorable Chair Chris Todd,
The Honorable Vice Chair Darius K. Kila
Members of the House Committee on Transportation

Re: **SB 1505 SD2 – Relating to Transportation: Mooring; Permits; Prohibitions**

Position: **Support with Amendments**

Aloha Chair Todd, Vice Chair Kila, and Members of the Committee,

Thank you for your leadership on this bill, SB 1505, prohibiting the issuance of permits for mooring of vessels engaged in certain activities including the collection or extraction of undersea minerals. I appreciate the opportunity to testify and express support for this bill, while suggesting key amendments. While we support the majority of the language amendments suggested by the Department of Transportation and Attorney General, we ask for an amendment (bolded) to Section 2, Line 5 as follows:

SECTION 2. Chapter 266, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§266- Restriction of use of facilities. When the department of transportation receives notice from a federal agency or other agency that a vessel or its crew has engaged in activity that has violated any federal, state, or county law or rule pertaining to environmental protection or maritime transportation, or trafficking of illegal contraband, **or the collection or extraction of undersea minerals unlicensed or unpermitted by the State**, the department of transportation may delay or deny approval for port entry or departure; provided that in these cases, the department of transportation may grant approvals for use of any commercial harbor facility by that vessel in coordination with the federal agency or other agency."

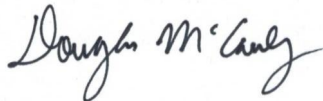
If this bill is to protect Hawai'i's waters and marine resources from deep-sea mining, this amendment is necessary. The International Seabed Authority is the international governing body responsible for granting seabed mining leases and protecting the seafloor. Due to a legal process known as the two-year rule, mining leases could be granted as soon as July, with whatever regulations are in place at the time. Currently, there are not adequate regulations that protect the deep-sea, long-term climate processes, and neighboring marine ecosystems. We do not fully understand the extent of the impacts mining could have on our oceans, yet industry is rushing to begin extraction. Impacts from deep-sea mining are likely to impact other HI sectors such as fisheries and tourism, given the vast spread of sediment plumes from mining activity, alongside the release and spread of

heavy metals and other toxins from the activity. The high seas area of greatest interest for seabed mining, the Clarion-Clipperton Zone, is right on Hawai'i's doorstep. This makes it critical to prevent seabed mining and its impact on Hawaiian waters in any way possible, and the above amendment will strengthen the bill's effect.

Every new research dive to the seafloor reveals amazing wildlife and new discoveries about the role the deep sea plays in the health of our ocean and our lives. Seabed mining directly destroys whole communities of life on the seafloor, leaving behind habitat that may never recover. Mining also creates extremely large and potentially toxic sediment plumes; as well as noise, light, and thermal pollution that disrupt marine habitats. [More than 700 ocean scientists](#) have called for a halt to seabed mining citing the risks it poses to ocean health and the well-being of coastal communities. [Major companies](#) including Google, BMW, Philips, Volkswagen, and more also support an international moratorium, [alongside major NGOs](#) such as World Wildlife Fund, The Nature Conservancy, Conservation International, Pew Charitable Trusts, and many others.

This bill will help to protect Hawai'i and its resources from outside interests looking to profit on the common heritage of mankind, and with the above amendment, will go hand-in-hand with the accompanying legislation to prohibit deep-sea mining in state waters. I ask that you please pass this bill with these amendments, reinforcing Hawai'i's role as leaders in environmental stewardship. Thank you for this opportunity.

Sincerely,
Douglas McCauley

A handwritten signature in black ink that reads "Douglas McCauley". The signature is written in a cursive, flowing style.

Director, Benioff Ocean Science Laboratory

LATE

SB-1505-SD-2

Submitted on: 3/16/2023 9:52:27 AM

Testimony for TRN on 3/16/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
james pirtle	Individual	Oppose	Written Testimony Only

Comments:

I opose this bill. The legislature is not lawfully elected thus does not have the authority to enact laws and bills. All actions are treason against the United States of America.