



**STATE OF HAWAII
HAWAII CLIMATE CHANGE MITIGATION & ADAPTATION
COMMISSION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809**

**Testimony of
Leah Laramee
Coordinator, Hawai'i Climate Change Mitigation and Adaptation Commission**

Co-Chairs:
Chair, DLNR
Director, OPSD

Commissioners:
Chair, Senate AEN
Chair, Senate WTL
Chair, House EEP
Chair, House WAL
Chairperson, HTA
Chairperson, DOA
CEO, OHA
Chairperson, DHHL
Director, DBEDT
Director, DOT
Director, DOH
Chairperson, DOE
Director, C+C DPP
Director, Maui DP
Director, Hawai'i DP
Director, Kaua'i DP
The Adjutant General
Manager, CZM

**Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT**

**Wednesday February 7, 2024
1:00 PM
State Capitol, Via Videoconference, Conference Room 224**

**In Support of
Senate Bill 2933**

**PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE
STATE OF HAWAII TO RECOGNIZE AND PROTECT THE INHERENT AND
INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A
HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS,
AND BEACHES**

Senate Bill 2933 proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. **The Hawai'i Climate Change Mitigation and Adaptation Commission (Commission) supports this measure.**

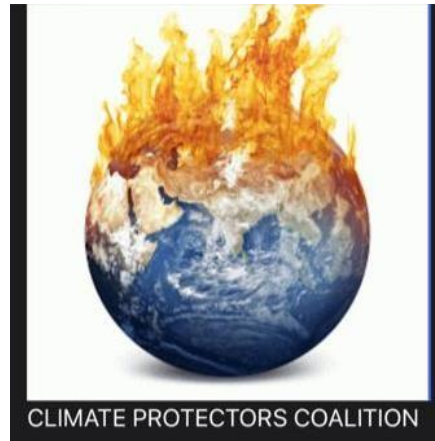
The Commission recognizes the existential and immediate threat of climate change. Climate change negatively affects all of us. Factors such as demographics, socioeconomic status, and limited access to resources can make it much harder to prepare for and recover from climate change. Because of these conditions, events such as extreme weather, sea level rise, heatwaves, flooding, and erosion might prove a hazard for some, but a disaster for others. Often short term investments have long term impacts on clean water and air, the environment and climate, healthy native ecosystems, and beaches.

Last year, Hawai'i experienced the severity of the crisis when climate-related drought conditions, historic misuse of land and water and high winds sparked the devastating Maui wildfires. As we mourn the loss of life, land, and cultural resources, we are working to advocate for policy changes for mitigation and adaptation actions that are so desperately needed to lessen the impact of future climate disasters.

2023 also brought the first year of funding from the Inflation Reduction Act to the Commission for statewide climate planning and project implementation that will take place over the next few

years. Efforts to implement current knowledge and research across the state have continued this year, with a focus on keeping the community informed and supporting the work of both governmental and non-profit organizations across the state. Drawing on Hawai'i's strong sense of interconnectedness and commitment to action the Commission wholeheartedly supports this measure.

Mahalo for the opportunity to testify on this measure.



To: The Honorable Senator Mike Gabbard, Chair, the Honorable Tim Richards, III, Vice Chair, and Members of the Committee on Agriculture and Environment.

From: Hawaii Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing SB2933 PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES.

Hearing: Wednesday February 7, 2023, 1:00 p.m., room 224

Aloha Chair Gabbard, Vice Chair Richards, and Agriculture and Environment Committee Members:

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. The Climate Protectors Hawai'i seek to educate and engage the local community in climate change action, to help Hawai'i show the world the way back to a safe and stable climate.

**The Hawai'i Reef and Ocean Coalition and the Climate Protectors Hawai'i
STRONGLY SUPPORT SB2933!**

Hawai'i has very fragile ecosystems, from coral reefs that are suffering from warming oceans, to drinking water polluted with petroleum spilled from underground storage tanks. These fragile ecosystems need protection now more than ever, as environmental threats are growing worse and we are facing an existential climate crisis and rapid declines in aquatic life. Recently, the need for this amendment has been underscored by the harm to our drinking water from spills at the permitted facility at Red Hill.

This bill proposes a constitutional amendment to Article I, the Hawai'i Bill of Rights, to provide more protection of environmental rights. If approved by voters, the Green Constitutional Amendment as drafted in this bill would recognize and protect the right to clean water and air, healthful environment and climate, healthy native ecosystems, and beaches.

In Hawai'i, environmental protection and this amendment are rooted in the traditions and collective conscience of the people. Environmental protection is deeply honored and valued as part of the culture, beliefs, way of life, and economy. Native Hawaiians have had a traditional and on-going special relationship to the environment and 'aina.

Because "a healthful environment and climate," and "healthy ecosystems" are currently not recognized and protected as inherent, inalienable rights in the Hawaii's Constitution's Bill of Rights, protecting these basic human needs sometimes becomes an afterthought in government laws and decision making, and sometimes is not considered at all. The inclusion of this fundamental right in Article I would not be redundant or unnecessary. It would complement, not supplant, the existing recognized role of government as public trustee of all public natural resources in Article XI, Section 1.

We all need clean water and air, and a healthful environment and climate, to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear. We need environmental protection rights raised up to be on par with other fundamental rights such as speech, assembly and religious freedoms.

This Constitutional amendment would provide a new and important tool for protecting the State's environment. This new amendment may fill a significant gap where there is not yet a law to address a serious environmental condition or threat, until legislative protections can catch up, and strengthen enforceable environmental rights that belong to all the people of Hawai'i.

The Climate Protectors Hawai'i and Hawai'i Reef and Ocean Coalition particularly applaud the inclusion of healthful climate and healthy ecosystems in the rights that would be recognized and protected in this amendment, if adopted. The Climate Protectors Hawai'i and Hawai'i Reef and Ocean Coalition were both formed out of concern for these overlooked (and typically degraded) public interests. The Hawai'i Reef and Ocean Coalition shares this interest in a healthful climate, which is also critical for corals and other marine life that are dying primarily from warming, more acidic oceans, as well as in "healthy ecosystems."

New York in 2021 became the third state to adopt a Green Constitutional Amendment. In addition to Hawai'i, numerous other states are considering similar amendments at this time.

The amendment would now read: **“The fundamental right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.”**

The Climate Protectors Hawai'i and the Hawai'i Reef and Ocean Coalition ask the Committee to advance this bill to continue discussion of this important right for the people of Hawai'i!

Mahalo!

Hawai'i Reef and Ocean Coalition and Climate Protectors Hawai'i (by Ted Bohlen)

SB-2933

Submitted on: 2/4/2024 5:45:04 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Dean	Testifying for Recycle Hawaii, Clean The Pacific	Support	Remotely Via Zoom

Comments:

We support this Bill 100%. How can you argue against it?

SB-2933

Submitted on: 2/6/2024 12:54:12 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dave Mulinix	Testifying for Greenpeace Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Chair Gabbard, Vice Chair Richards, Senator DeCoite, Senator Rhoads, Senator Awa,

Greenpeace Hawaii stands in **STRONG SUPPORT** of SB2933, aka the Green Amendment, that proposes a constitutional amendment that ensures that the fundamental right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

Passage of SB2933 is important because environmental rights as proposed in this bill are not addressed by other existing constitutional provisions in the Hawaii constitution: Ensuring the rights to clean, safe and healthy environments are given the same constitutional standing and protection as other human, civil and political rights in the Hawaii constitution is of importance and value; and it is a goal that is not achieved with other existing constitutional language.

While Article XI, Section 1 speaks to the obligation of the state to protect natural resources, it does not speak to the rights of the people to clean and healthy environments.

Article XI, Section 9 is framed to acknowledge the rights and duties of state government to protect the environment, and the ability of people to enforce existing environmental protection laws, but it does not in fact recognize the inalienable rights of people to a clean and healthy environment ensuring that recognition of rights guides government action. As a result, the proposed Green Constitutional Amendment will fill a gap that exists in Hawaii’s constitution.

Placement in Article I ensures environmental rights are protected on par with other fundamental rights and ensures fair balancing of rights when needed. For example, when there is a tension between property rights and protecting the environmental rights of the people, the two will have to be balanced and both protected.

Finally some Hawaii officials have expressed concerns that a Hawaii Green Amendment might spur frivolous lawsuits. Such concerns are unsupported by the law or facts. There hasn’t been a proliferation of inappropriate litigation relying on constitutional environmental rights in the 3 states where communities already enjoy Green Amendment protections. Rather, the lawsuits brought have been important and reasonable and have helped protect air, water, soil, human health, and to support the proper interpretation of environmental laws passed by state government.

The Green Amendments in force in Pennsylvania, Montana and New York have not only been relied upon by communities to secure essential environmental protections otherwise being overlooked, but have also been used by state regulatory agencies, attorneys general, and local government bodies to protect their own environmental authority and their ability to pursue environmental protections they have identified as being of primary importance. In fact, there is no litigation that has been dismissed as frivolous because of a Green Amendment claim. Most often, the Green Amendment protections have been brought forth to help government officials and the courts properly interpret, apply and enforce the environmental laws and regulations that are already on the books, as opposed to being free-standing challenges to government overreach.

In closing, ensuring environmental rights protection will, by its nature, strengthen property rights protection because too often pollution migrates onto the property of others. The complement of property rights with environmental rights will allow us to better protect the sanctity of families and homes. Please pass SB2933 and protect and ensure our rights to a clean healthy environment.

Mahalo,

Dave Mulnix, CoFounder, Statewide Organizer

Greenpeace Hawaii



In strong support of SB2933

February 7, 2024

Members of the Committee on Agriculture and Environment,

We, the undersigned 17 organizations, are writing in strong support of SB2933, the proposal to add environmental rights to the Bill of Rights of the Hawaii Constitution.

While Hawaii’s constitution Article XI Section 9 speaks to the importance of having environmental rights protection for the people of Hawaii, it fails to put those rights on par with the other fundamental rights such as speech, religious freedom and due process right. Instead, it leaves environmental rights protection to the political process, to be defined by laws that can be subject to the politics of the day, easily undermined by a legislature that fails to fully appreciate the importance of protecting the environmental rights of all our people, and a legislative system that by its nature can be subject to gaps in protection or result in disproportionate harms for environmental justice communities that can be left without a remedy when they find themselves the victims of devastating levels of environmental pollution or degradation. The proposed Hawaii Green Amendment will provide a mechanism to fill the gaps, address inequities in interpretation and implementation of existing laws, and strengthen environmental protection by raising environmental rights up so they are given highest constitutional recognition and protection.

The proposed amendment reflects the rooted traditions and collective cultural conscience of the State's people, and exemplifies the fundamental Native Hawaiian notion of Aloha Aina, which translates to "love of the land" and is central to Native Hawaiian values and beliefs.

The proposed Hawaii Green Amendment will be a valuable compliment to Hawaii’s commitment and obligation to serve as a trustee of our state’s natural resources and to protect those resources generationally that is found in Article XI Section 1 of our state constitution. The proposed

environmental rights language will neither displace nor complete with this existing constitutional language. To the contrary, it will compliment it by adding environmental rights protection to the natural resources trustee obligations of the state. This complimentary approach of protection and values has proven helpful in other states. The proposed environmental rights language will also help to protect the legacy of environmental protection advanced by our current and previous legislators; ensuring strong protections already in place are not rolled back by any future legislative, regulatory or executive government officials who fail to hold the same environmental protection values.

The proposed Bill of Rights amendment will raise up our environmental rights so they become part of the guiding obligations and principles for all government action and legislation and, as with other Article I rights, are protected from government overreach and infringement. Article 1 placement also ensures that all state government, including branches, agencies and subdivisions, are constitutionally bound to protect our environmental rights, the obligation is not limited to the state legislature. Adding environmental rights to our Hawaii Bill of Rights will ensure that environmental protection and environmental justice are given high priority and that there is a focus on preventing environmental pollution and degradation throughout government decisionmaking when there is the best opportunity for preventing harm.

Bill of Rights protection will also ensure that when there are competing interests, environmental protection and rights will be part of the balancing of rights to be protected, rather than becoming subservient to other asserted rights, goals and needs. For example, if there is a tension between property rights and protecting the environmental rights of the people around, the two will have to be balanced and both protected. Ensuring environmental rights protection will also, by its nature, strengthen property rights protection because too often the property of others is invaded by the pollution of another, the compliment of property rights with environmental rights will allow us to better protect the sanctity of our property, family and homes.

Securing Bill of Rights protection for our environmental rights is not intended to, nor would it be expected to, prevent industry, development or economic growth in our state. But it will ensure that business, industry and economic development advance sustainably and in ways that protect environmental interests, justice and rights. Environmental protection and economic development are not mutually exclusive, in fact they are inextricably connected – a healthy economy depends on a healthy environment, healthy communities and healthy people. The proposed environmental rights amendment will ensure that as we grow jobs and our economy, we also protect the environment for the health and safety of present and future generations.

In addition to helping protect our communities from damaging actions and decisions, the amendment will provide a powerful foundation on which our Hawaii government officials can conceive and advance protection laws, policies, programs and decisions.

We all need and deserve clean water and air, healthy native ecosystems and beaches, a healthful climate and environment. We need and deserve recognition and protection of our inalienable human rights to a clean and healthy environment so we can live healthy, long and good quality lives. And so it is

just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

With Respect and Appreciation,

Signed:

Sherry Pollack, Co-Founder, 350Hawaii

Melodie Aduja & Alan Burdick, Co-Chairs, Environmental Caucus of the Democratic Party

Cara Oba, Climate Protectors Hawaii

Maya van Rossum, Founder, Green Amendments for the Generation

Dave Mulinix, Co-Founder, Greenpeace Hawaii

Anne Frederick, Executive Director, Hawaii Alliance for Progressive Action

Travis Idol, Hawaii Interfaith Power and Light

Ted Bohlen, Co-Founder, Hawaii Reef and Ocean Coalition

Kim Ashely Sunio, Executive Director, Hawaii Youth Climate Coalition

Helen Cox, Chair, Kauai Climate Action Coalition

Laurel Brier, Kauai Women's Caucus

Don May, Our Revolution Hawaii

Lauren Blickley, Hawaii Regional Manager, Surfrider Foundation

Rob Brower, Chair, Surfrider Foundation, Kauai Chapter

Susan Gorman-Chang, Trinity United Methodist Church

Jennifer Navarra, Coordinator, Zero Waste Hawai'i Island

Ruta Jordans, Zero Waste Kauai



To: The Senate Committee on Agriculture and Environment (AEN)
From: Sherry Pollack, Co-Founder, 350Hawaii.org
Date: Wednesday, February 7, 2024, 1:00 pm

In strong support of SB2933

Aloha Chair Gabbard, Vice Chair Richards, III, and AEN Committee members;

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org is in **strong support of SB2933** which proposes a constitutional amendment to ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

The Green Amendment will serve to strengthen the environmental protections currently recognized in our Hawaii Constitution. This is needed now more than ever in these times where ecosystems and our climate are facing destruction. 350Hawaii welcomes the inclusion of a Green Amendment in which environmental rights are given highest constitutional recognition and protection, on par with other fundamental rights such as speech.

The amendment would be a tool to help put a focus on the prevention of environmental harm, as well as provide legislators and regulators constitutional grounding upon which to advance positive and strengthened environmental protections. Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including future generations**.

We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

Opponents of this measure have cited a concern that it will create increased litigation and that “administrative agencies are already swamped by contested cases.” Such concerns are unsupported by

the law or facts. Green Amendments do not support frivolous litigation. In Pennsylvania, New York, and Montana, where Green Amendments now exist, there has not been an onslaught of frivolous litigation relying on constitutional environmental rights. Rather, the lawsuits brought have been reasonable and helped to shape the understanding of the constitutional requirement. And we have to ask, why are government agencies swamped now with contested cases? There may be room for improvement in the decision-making processes of some of these agencies.

The Green Amendments in force in Pennsylvania, Montana and New York have not only been relied upon by communities to secure essential environmental protections otherwise being overlooked, **but have also been used by state regulatory agencies, attorneys general, and local government bodies to protect their own environmental authority and their ability to pursue environmental protections they have identified as being of primary importance.** In fact, there is no litigation that has been dismissed as frivolous because of a Green Amendment claim. Most often, the Green Amendment protections have been brought forth to help government officials and the courts properly interpret, apply and enforce the environmental laws and regulations that are already on the books, as opposed to being free-standing challenges to government overreach.

With a Green Amendment, government agencies would need to consider our environmental rights when executing their duties, it would not be an afterthought as it is now. **We all need clean water, clean air, a healthful environment and climate.** Having the Green Amendment would support and secure better government decision-making that avoids environmental pollution and degradation.

The sooner these rights are recognized, the better off the future will be for our children.

Mahalo for the opportunity to testify in **strong support** of this very important legislation.

Sherry Pollack
Co-Founder, 350Hawaii.org

SB-2933

Submitted on: 2/3/2024 5:58:35 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Bishop	Testifying for Friends of Hanauma Bay	Support	Written Testimony Only

Comments:

Aloha Chair Gabbard, Vice Chair Richards, and Committee Members,

Mahalo for the opportunity to testify in strong support of this aspirational Bill. Isn't this exactly what we all dream of for Hawai'i - mauka to makai - and our children?

Friends of Hanauma Bay therefore urges your strong support of SB2933.

With Aloha,

Lisa Bishop I President

SB-2933

Submitted on: 2/3/2024 4:05:42 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeannette Gurung	Testifying for WOCAN	Support	Written Testimony Only

Comments:

We strongly support SB2933 that proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

- Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including future generations**.

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

FEBRUARY 7, 2024

SB 2933, PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR, A HEALTHFUL ENVIRONMENT AND CLIMATE, HEALTHY NATIVE ECOSYSTEMS, AND BEACHES.

POSITION: SUPPORT

The Democratic Party of Hawaii **supports** SB 2933, which proposes a “Green Amendment”. Pursuant to the “Environment and Energy” section of the official Democratic Party of Hawaii platform, the party believes “that all people have the right to live in a clean, healthy and safe environment. We believe that the preservation of our natural environment and its ecological well being is essential to ensuring a safe, healthy, bountiful life for future generations in Hawaii. We support policies that create a more sustainable society. We support the restoration, preservation, and protection of native ecosystems.”

According to a report produced by the Hawaii Climate Change Mitigation and Adaptation Commission, global sea levels could rise more than three feet by 2100, with more recent projections showing this occurring as early as 2060. In turn, over the next 30 to 70 years, approximately 6,500 structures and 19,800 people statewide will be exposed to chronic flooding. Additionally, an estimated \$19 billion in economic loss would result from chronic flooding of land and structures located in exposure areas. Finally, approximately 38 miles of coastal roads and 550 cultural sites would be chronically flooded, on top of the 13 miles of beaches that have already been lost on Kaua'i, O'ahu, and Maui to erosion fronting shoreline armoring, like seawalls.

As we work to reduce carbon emissions and stave off the worst consequences of climate change, we must begin preparing for the adverse impact of sea level rise on our

shores. We are now quantifying the speed at which we must act. We cannot continue to develop the 25,800-acre statewide sea level rise exposure area—one-third of which is designated for urban use—without risking massive structural damage and, potentially, great loss of life. In turn, we must take steps to ensure access to a clean and healthy environment as the worst effects of climate change approach our shores.

Rights of nature laws, including so-called “Green Amendments,” have been enacted in the United States and throughout the world as a means of protecting important ecological and cultural resources. In 2006 and 2007, the town of Tamaqua Borough in Pennsylvania established the first environmental personhood ordinances in the nation, which were intended to combat toxic waste. Since then, other locations have enacted or proposed rights of nature measures, including in 2010 Pittsburgh, Pennsylvania, and in 2020 Orange County, Florida.

Perhaps the most well-known international example of rights of nature legislation is the Te Awa Tupua (Whanganui River Claims Settlement) Act of 2017 enacted by the New Zealand parliament, which was the first piece of legislation to declare a river to be a legal person. The Te Awa Tupua Act bestowed upon the Whanganui River the rights, duties, and powers of a legal person, including the ability to sue those who harm it. Moreover, the Te Awa Tupua Act was aimed at improving the relationship between the government of New Zealand and its indigenous people through the enshrinement of the rights of nature associated with the culturally significant Whanganui River into law.

Our state should likewise take steps to preserve access to a clean and healthy environment. From the military’s fuel tanks beneath Red Hill to the pesticides unleashed by agrochemical companies on local farmland, our ‘āina has been subjected to degradation by those who put corporate profits before public health. Yet, public health should be treated as a sacrosanct fundamental right of Hawai‘i’s people, who should have the power to take legal action when the precious environment upon which we depend is endangered, thereby undermining the sustainability of our island home. For the sake of our keiki, we cannot afford to wait to solidify strategies to preserve our environmental resources for generations to come.

Mahalo nui loa,

Kris Coffield

Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons

Co-Chair, Legislative Committee
(808) 352-6818
abbyalana808@gmail.com



2/7/2024

AEN Committee
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Gabbard and Members of the Agriculture and Environment Committee

Position: Support SB2933

The Surfrider Foundation would like to offer this testimony in support of SB2933.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

The purpose of this bill- to add a self executing amendment to the Hawai'i State Constitution that ensures the right of all people to a clean environment- aligns with our core principles. Currently, two states have a green amendment adapted into their constitutions, Pennsylvania and Montana, and fifteen other states including Hawai'i are actively trying to adopt one. This legislation includes language that will strengthen the environmental protections that are already recognized in Article X I , Section 1 of the Hawai'i Constitution that mandates that the State hold public natural resources in trust for the benefit of all people.

Hawai'i is already a leader in environmental work, after passing one of the Nation's biggest plastic bans and working towards the 30 x 30 marine protection goal, the state is clearly on the forefront of sound environmental legislation; necessary to keep our areas pristine and welcoming to our large tourist base that funds a lot of our economy. Adding this amendment to the State Constitution would make keeping our environment clean an enforceable law, and eliminate loopholes that allow violators to simply move operations or cite a county law.

This bill would prioritize environmental health and justice, and would be a huge step forward in Hawai'i's conservation efforts, and would allow the Surfrider Foundation to continue in our goal of clean water, a stable climate, and the preservation of our natural areas.

Thank you for your consideration of this testimony in support of SB2933, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Lauren Blickley
Hawai'i Regional Manager
Surfrider Foundation

SB-2933

Submitted on: 2/5/2024 3:53:48 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colehour Bondera	Testifying for Kanalani Ohana Farm	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members:

As a long-time certified organic farmer in Kona who raised two children on our family farm, it is with all due respect that your support for Sb2933 is requested.

Farms should not be polluting neighbors, the broader ecosystem and notably not the oceans. Sadly, use of chemicals, including chemical fertilizer, has for a long time not been tracked in regards to the fact that Hawaii has such young soils and such un-level farms, that a significant portion of what is used runs down from farms very quickly. Cause and effect of health issues on humans and other beings has not been readily tracked.

Please put in place this basic right to good health.

Sincerely,

Colehour Bondera

KANALANI OHANA FARM

colemel2@gmail.com

SB-2933

Submitted on: 2/3/2024 11:07:03 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom. I live in Mō'ili'ili. I'm writing in STRONG SUPPORT SB2933.

SB2933 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, including future generations.

We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

me ke aloha 'āina,

Nanea Lo

SB-2933

Submitted on: 2/3/2024 5:35:14 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Camp	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2933 that proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

SB-2933

Submitted on: 2/3/2024 9:27:56 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Barker	Individual	Support	Written Testimony Only

Comments:

Honorable Legislators,

I respectfully ask that you support SB2933 which proposes a constitutional amendment to ensure the inherent and inalienable right of the people, *including future generations*, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.

Thank you for your attention and consideration.

Melissa Barker

Kapaa, HI

SB-2933

Submitted on: 2/3/2024 8:15:08 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roseann Michaud	Individual	Support	Written Testimony Only

Comments:

I strongly support this constitutional amendment to ensure the inherent and inalienable right of the people, *including future generations*, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.

SB-2933

Submitted on: 2/3/2024 9:33:09 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Individual	Support	Written Testimony Only

Comments:

Aloha Senators!

SB2933 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including future generations**.

We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

Mahalo nui loa!

R A Culbertson

Honokaa

SB-2933

Submitted on: 2/3/2024 11:55:48 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Metzler	Individual	Support	Written Testimony Only

Comments:

Hawaii citizens should have the right to a clean and healthy environment. Our current system is clearly adequate.

SB-2933

Submitted on: 2/3/2024 2:10:00 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TOM DIGRAZIA	Individual	Support	Written Testimony Only

Comments:

Very strong support!

SB-2933

Submitted on: 2/3/2024 3:47:14 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

SB2933 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

- Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including future generations**.

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

Mahalo,
Andrew Isoda
Lahaina, Mau'i

SB-2933

Submitted on: 2/3/2024 8:26:07 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Support	Written Testimony Only

Comments:

Aloha legislators,

Jet fuel in O'ahu water, toxic debris in Lahaina, sugar plantation toxins everywhere...the health and welfare of humans depends on the health and welfare of the environment.

mahalo,

Cory

SB-2933

Submitted on: 2/4/2024 3:51:46 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Support	Written Testimony Only

Comments:

It seems obvious that a clean healthy environment are necessary. It should be in our Constitution.

SB-2933

Submitted on: 2/5/2024 6:55:17 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Nihipali	Individual	Support	Written Testimony Only

Comments:

SB2933 proposes a Hawaii constitutional amendment which, if passed in a future ballot referendum, would ensure that the inherent and inalienable right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed. This is needed now more than ever in these times where ecosystems and our climate are facing destruction.

- Environmental threats are growing worse and we are facing a climate crisis. Because healthy environments, including climate, are currently not recognized and protected as inalienable rights and given constitutional recognition and protection, protecting these basic human needs becomes an afterthought in government decision making, and sometimes is not considered at all. The health of the environment and environmental impacts should be considered first, at the start of planning, decision making, and regulating. Our constitution should recognize and protect the rights of all people, **including future generations**.

- We all need clean water and air, a healthy environment and climate to live healthy, long and good quality lives. And so it is just and right that we should ensure our environmental rights are protected as firmly and powerfully as the other fundamental rights we hold dear.

Thank you for your consideration,

Michele Nihipali

54-074 A Kam Hwy.

Hauula, HI 96717

SB-2933

Submitted on: 2/5/2024 8:18:13 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruta Jordans	Individual	Support	Written Testimony Only

Comments:

Hawaii needs this in order to maintain our aina and have healthy people.

SB-2933

Submitted on: 2/5/2024 9:42:22 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dyson Chee	Individual	Support	Written Testimony Only

Comments:

Mahalo for the opportunity to testify in strong support of SB2933!

SB-2933

Submitted on: 2/5/2024 10:30:34 AM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

support

SB-2933

Submitted on: 2/5/2024 1:29:32 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kevin Faccenda	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

SB-2933

Submitted on: 2/5/2024 9:03:12 PM

Testimony for AEN on 2/7/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Dadds, PA-C	Individual	Support	Written Testimony Only

Comments:

We, as Hawaiians, live on a highly inhabited island, where it is a challenge to find clean water that we have confidence in knowing that it is safe to consume. This cannot sustain the million people who live here and has the potential to cause an epidemic of waterborne disease. It is the right of all people in Hawai'i to have access to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches.