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GOVERNOR OF  
HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of  
SUZANNE D. CASE  
Chairperson

Before the Senate Committee on  
WATER AND LAND

Wednesday, February 06, 2019  
1:15 PM  
State Capitol, Conference Room 229

In consideration of  
SENATE BILL 259  
RELATING TO OFFSHORE DRILLING

Senate Bill 259 proposes to amend Chapter 190D, Hawaii Revised Statutes, by prohibiting off shore drilling for oil or natural gas in state marine waters and to prohibit the issuance of permits for or in connection with the development or operation of any facility or infrastructure associated with offshore drilling for oil or natural gas in any waters. **The Department of Land and Natural Resources (Department) supports the intent of this measure but offer the following comments.**

Steam is water in its gaseous form. The Department suggests that geothermal energy specifically be excluded:

"§190D- Offshore oil and gas exploration in state waters; applications in support of oil and gas exploration; prohibited[-]; exceptions. (a) Notwithstanding any law to the contrary, offshore drilling for oil or natural gas, with the exception of steam for geothermal energy, shall be prohibited in state marine waters.

(b) ~~[Nø]~~ With the exception of a permit for geothermal energy, no permit shall be issued for or in connection with the development or operation of any facility or infrastructure associated with offshore drilling for oil or natural gas whether proposed for within or outside of state marine waters."

Thank you for the opportunity to comment on this measure.



# NCEL

National Caucus of  
Environmental Legislators

## **Testimony of the National Caucus of Environmental Legislators Regarding Offshore Drilling Legislation Across the Country**

*Created by and for state legislators, the National Caucus of Environmental Legislators is a nonprofit that organizes over 1,000 environmentally-committed state legislators from all 50 states and both parties. NCEL provides venues and opportunities for lawmakers to share ideas and collaborate on environmental issues. NCEL does not lobby or take formal positions on legislation, but rather shares insight to act as a clearinghouse on environmental policies. We submit this testimony to provide a context of similar legislative actions across the country.*

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To Members of the Committee on Water and Land:

Hawaii is not alone in the effort to limit offshore drilling within its state waters. This year, nine other states representing a bulk of the U.S. coastline introduced bipartisan legislation that would either ban or restrict offshore drilling near their coastlines. These states include Connecticut, Georgia, Maine, Massachusetts, New Hampshire, New York, Oregon, Rhode Island, and South Carolina.

This momentum of state action has been growing since the Department of Interior (DOI) released their draft plan in January 2018. In March of that year, over 225 state legislators, representing 17 coastal states, signed a letter opposing the proposed leasing program and urging DOI to grant all coastal states the opportunity to opt out<sup>1</sup>. New Jersey became the first state to ban offshore drilling within state waters last year, followed shortly by legislation in Delaware, Maryland, California, and Florida. To date, more than 300 municipalities and over 2,000 elected local, state, and federal officials have formally opposed offshore drilling. This includes nearly every governor along the East and West Coasts - both Democrat and Republican<sup>2</sup>.

States lawmakers know well that offshore drilling threatens their beaches and thus their economies. Coastal tourism, fisheries, shipping, and defense are the underpinning of all U.S. coastal states' economies. The Atlantic, Pacific and Gulf coast of Florida alone support over 2.6 million American jobs and roughly \$180 billion in GDP<sup>3</sup>. By contrast, the economic gains from

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<sup>1</sup> <https://www.ncel.net/wp-content/uploads/2018/03/OCS-Oil-and-Gas-Leasing-Program-Sign-On-Letter.pdf>

<sup>2</sup> <https://usa.oceana.org/climate-and-energy/grassroots-opposition-offshore-drilling-and-exploration-atlantic-ocean-and>

<sup>3</sup> <https://usa.oceana.org/sites/default/files/national.pdf>

oil and gas drilling are finite and short-term and come with external costs to the natural environment. States view allowing the expansion of offshore drilling as a financial risk, one that they cannot afford to take.

Expanded offshore drilling would also lead to more greenhouse gas emissions, exacerbating the effects of climate change on coastal and inland communities. States are seeing this as a time to expand clean renewable energy sources rather than continuing to invest in fuels of the past. There is an ever growing interest from legislators and public momentum behind transitioning to 100% renewable energy. As wind and solar continue to be the fastest-growing source of electricity generation for the next two years, there is an opportunity for states to become leaders of the clean energy economy<sup>4</sup>.

Legislators understand that an oil spill anywhere is an oil spill everywhere, impacting not just their constituents but everyone who depends on their coasts for income and recreation. A common state response has been adopting resolutions memorializing their constituencies opposition to offshore drilling and the expanded leasing program. These resolutions have either asked for state exclusion from the drilling policy or for an indefinite extension of the offshore drilling moratorium from the Obama Administration.

Some states have taken to pushing for restrictions on oil and gas drilling, exploration, and transportation activities within state waters such as New Jersey (A 839)<sup>5</sup> and Delaware (SB 200)<sup>6</sup>, while others have established stricter enforcement of liability and penalties on entities that cause spills, or other damages, from offshore drilling activities like Maryland (HB 1456)<sup>7</sup>. States' ability to regulate state waters, which extend three miles out from shore, as well as land within their state's boundaries, offer a blanket of protection to our nation's coastline

Though state bans do not lawfully prohibit drilling in federal waters or federally leased land, they do make it cost prohibitive to continue offshore drilling and exploration. By restricting drilling activities and infrastructure development, such as pipelines and port facilities, in state waters, it makes drilling more difficult and increases the cost of transporting the oil to shore. Each state that is pursuing, or that has passed, legislation is ensuring that no Administration can threaten offshore drilling within their state waters. While some states may be excluded from the leasing program during this Administration, future Administrations could reverse course, increasing the urgency for states to act now.

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<sup>4</sup> <https://www.cnn.com/2019/01/21/business/solar-wind-coal-power-renewable-energy/index.html>

<sup>5</sup> [https://www.njleg.state.nj.us/2018/Bills/AL18/7\\_.PDF](https://www.njleg.state.nj.us/2018/Bills/AL18/7_.PDF)

<sup>6</sup> <https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=26637&legislationTypeId=1&docTypeId=2&legislationName=SB200>

<sup>7</sup> <http://mgaleg.maryland.gov/2018RS/bills/hb/hb1456E.pdf>

**SB-259**

Submitted on: 2/5/2019 1:12:23 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

**SB-259**

Submitted on: 2/4/2019 12:58:19 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Foster	Testifying for Hawaii Advocates For Consumer Rights	Support	No

Comments:

Mahalo for supporting SB259.

Scott Foster

Communications Director

Hawaii Advocates For Consumer Rights

**SB-259**

Submitted on: 2/3/2019 8:33:11 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

STRONGLY SUPPORT BAN ON OFFSHORE (or onshore) OIL AND GAS EXPLORATION AND EXTRACTION.

[www.WeAreOne.cc](http://www.WeAreOne.cc)



To: The Senate Committee on Water and Land  
From: Sherry Pollack, Co-Founder, 350Hawaii.org  
Date: Wednesday, 2/6/19

**In strong support of SB 259**

Aloha Chair Kahele, Vice Chair Keith-Agaran, and Committee members,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **strongly supports SB259**. This bill would prohibit offshore drilling for oil or natural gas in state marine waters. It also prohibits issuance of permits for or in connection with the development or operation of any facility or infrastructure associated with offshore drilling for oil or natural gas in any waters.

Offshore drilling is dirty and dangerous. The risk of major oil spills is high and the impacts severe. It threatens our communities, our economy, and the climate. If we are to avoid the worst effects of climate change, fossil fuels, including those offshore, must remain undeveloped.

If Hawaii is serious about moving to a clean energy economy and achieving our renewable energy goals, not to mention protecting the health and safety of our communities and our fragile ecosystem, we must ensure that offshore drilling is completely prohibited in our state marine waters. It's time to shift away as quickly as we can from dirty fossil fuels that wreak havoc on our climate and threaten our oceans, communities, and coasts. And it's time to provide the highest possible protection for waters and communities still at risk, until that transition is complete.

We must protect the waters that sustain life on earth. Please pass SB259.

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

Sherry Pollack  
Co-Founder, 350Hawaii.org



**SB-259**

Submitted on: 2/2/2019 10:25:26 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mio Chee	Individual	Support	No

Comments:

**SB-259**

Submitted on: 2/3/2019 6:42:46 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Chee	Individual	Support	No

Comments:

**SB-259**

Submitted on: 2/3/2019 6:43:39 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Micah Chee	Individual	Support	No

Comments:

**SB-259**

Submitted on: 2/3/2019 6:50:45 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Noel Morin	Individual	Support	No

Comments:

Aloha,

I strongly support SB259. While we don't have any known fossil fuel reserves off-shore and on, this will allow us to be proactive about avoiding the churn and cost of assessing activities related to exploration and development. Such activities have high potential to harm our marine ecosystem and, should there be a hint of fossil fuel, to contribute to carbon emissions.

Let's shift the dialog and investment towards renewables and avoid the 'hassle' of entertaining anything to do with furthering our dependency on fossil energy.

Thanks for your support of our renewable future.

Noel Morin

**SB-259**

Submitted on: 2/3/2019 10:06:09 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonathan Boyne	Individual	Support	No

Comments:

**SB-259**

Submitted on: 2/3/2019 12:26:58 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John NAYLOR	Individual	Support	No

Comments:

Aloha,

No drilling for fossil fuels anywhere near Hawaii Nei Please!

**SB-259**

Submitted on: 2/3/2019 3:24:01 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glennie	Individual	Support	No

Comments:

aloha,

Please support this proactive legislation to protect hawaii's natural bounty and balance.

mahalo and sincerely,

janice palma-glennie

**SB-259**

Submitted on: 2/3/2019 7:47:00 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fenix Grange	Individual	Support	No

Comments:

This is important for all generations to come. Please do the right thing

Malachy Grange



**SB-259**

Submitted on: 2/3/2019 7:51:51 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carolynn Bell-Tuttle	Individual	Support	No

Comments:

**SB-259**

Submitted on: 2/3/2019 11:10:04 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Taurie Kinoshita	Individual	Support	No

Comments:

Please prohibit offshore drilling for oil; the environmental consequences are too hazardous and our children deserve a safe future. Thank you for your consideration.

**SB-259**

Submitted on: 2/4/2019 8:13:00 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Nandoskar	Individual	Support	No

Comments:

Please protect our precious coastlines, coral reefs and ocean habitat by supporting this bill.

**SB-259**

Submitted on: 2/4/2019 8:24:16 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
park	Individual	Support	No

Comments:

Thank you for taking time to hear this important measure.

**SB-259**

Submitted on: 2/4/2019 8:39:33 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kiera	Individual	Support	No

Comments:

Thank you for receiving this testimony. Rep. Park Cannon had difficulty submitting her pdf attachment. I am the Office Manager submitting the attachment on Rep. Cannon's behalf.

**Testimony for Hawaii SB 259**

*Georgia State Representative, Park Cannon*

Dear Members of the Committee on Land and Water:

Hawaii is not alone in the effort to limit offshore drilling within its state waters. As Representative from the state of Georgia, I too am introducing legislation that would reduce the threats of offshore drilling to my state. In addition, eight other states representing a bulk of the U.S. coastline introduced bipartisan legislation that would either ban or restrict offshore drilling near their coastlines. These states include Connecticut, Maine, Massachusetts, New Hampshire, New York, Oregon, Rhode Island, and South Carolina.

In Georgia, we understand that climate change is real and that we are elected at the state level to protect good jobs, clean water, and breathable air. Joining with NCEL members from coastal states to support state-based policy-making that propels us forward in renewable energy use has been a valuable effort. Together, we can increase public faith in the health of our environment by working to decrease toxic pollutants in our communities.

Coastal tourism, fisheries, shipping, and defense are the underpinning the coastal economy in Georgia and all other coastal states. Offshore drilling threatens our beaches and economies. That is not a risk that coastal states can afford to take. Rather than continuing to invest in the dirty fossil fuels of the past, we should be investing in clean, renewable energy of the future. I stand in support of these Representatives in their effort to limit offshore drilling.

Legislatively yours,

Representative Park Cannon

Georgia - District 58

**SB-259**

Submitted on: 2/4/2019 1:38:07 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Gray	Individual	Support	No

Comments:

No drilling for fossil fuels here in Hawaii. We are going all sustainable as fast as we can! We want to set an example for the rest of the nation/world on how to do it, and it makes sense that we need to protect our ocean from drilling.

**SB-259**

Submitted on: 2/4/2019 6:10:15 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joy Marshall	Individual	Support	No

Comments:



**SB-259**

Submitted on: 2/5/2019 11:42:39 AM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Lo	Individual	Support	No

Comments:

To Whom It May Concern,

I am writing in for STRONG SUPPORT of this bill. I am a lifelong resident of Hawaii and my ancestors are from this place. I currently live in KaimukÄ«. I believe that Hawaii's natural resources are precious and need to be protected at all costs for our future generations and in order to keep our ecosystems good and healthy.

Please support this bill.

Thank you,

Nanea Lo

**SB-259**

Submitted on: 2/3/2019 7:03:10 PM

Testimony for WTL on 2/6/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Wells	Individual	Oppose	No

Comments: