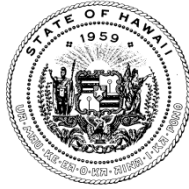


JOSH GREEN, M.D.  
GOVERNOR



**TESTIMONY BY:**  
EDWIN H. SNIFFEN  
DIRECTOR

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DREANALEE K. KALILI  
TAMMY L. LEE  
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JAMES KUNANE TOKIOKA

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

March 24, 2023  
2:00 PM  
State Capitol, Room 325

**S.B. 1505 S.D. 2 H.D. 1**  
**RELATING TO TRANSPORTATION**

House Committee on Judiciary & Hawaiian Affairs

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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 David Tarnas, the Honorable Vice-chair Gregg Takayama, and members of the House Committee on Judiciary and Hawaiian Affairs

From: The Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: Hearing **SB1505 SD2 HD1 RELATING TO TRANSPORTATION**

Hearing: Friday, March 24, 2023, 2:00 p.m. CR325

Aloha Chair Tarnas, the Honorable Vice-chair Takayama, and members of the House Committee on Judiciary and Hawaiian Affairs:

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.

**Hawai'i Reef and Ocean Coalition STRONGLY SUPPORTS SB1505 SD2 HD1.**

This Act would authorize the Department of Transportation to delay or deny approval for port entry or departure when the DOT has received 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, maritime transportation, trafficking of illegal contraband, or the **collection or extraction of undersea minerals** unlicensed or unpermitted by the State.

The Hawai'i Reef and Ocean Coalition particularly appreciates the bill's provision authorizing DOT to deny port entry for vessels or crews that have engaged in collecting or extracting undersea minerals unlicensed or unpermitted by the State. **Seabed mining used to extract undersea minerals is like strip mining of the deep ocean floor, severely disrupting the ecosystems and releasing toxic sediment plumes. Seabed mining poses an unacceptably high risk of damage and disruption to the marine environment, including our globally significant ecosystems** that host thousands of species, which are **comparable in biodiversity and carbon storage to tropical rainforests.** It may **harm coral reefs, release stored carbon dioxide, and its noise may disrupt whales, dolphins and other marine mammals.** It may take decades, if not hundreds of years, for marine ecosystems to recover from seabed mining.

Seabed mining also **may harm ocean-dependent industries such as fishing (commercial and recreational) and tourism.**

Hawaii should join the Legislatures of California, Oregon, and Washington, which have all passed legislation prohibiting seabed mining.

We thank the committee for hearing this important measure! Please pass SB1505 SD2 HD1 in order to protect our marine ecosystems and ocean-dependent industries.

Mahalo!

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

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To: To: The Honorable Chair David Tarnas,  
The Honorable Vice Chair Gregg Takayama  
Members of the House Committee on Judiciary & Hawaiian Affairs

Re: **SB 1505 SD2 HD1 – Relating to Transportation: Mooring; Permits; Prohibitions**

Position: **Strong Support**

Aloha Chair Tarnas, Vice Chair Takayama, and Members of the Committee,

Thank you for your leadership on this bill, SB 1505 SD2 HD1, prohibiting the issuance of permits for mooring of vessels engaged in certain activities including the collection or extraction of undersea minerals unlicensed or unpermitted by the State. I appreciate the opportunity to testify and express my strong support for this bill. 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 extractive industry of seabed mining poses many risks that are yet to be fully understood. The fishing and tourism industries are likely to feel the impacts of mining, which is poised to happen on Hawai'i's doorstep in an area known as the Clarion-Clipperton Zone. This bill will help to protect Hawai'i and its resources from outside interests looking to profit on the common heritage of mankind. I ask that you please pass this bill in its current form, 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

# THE OCEAN FOUNDATION

24 March 2023

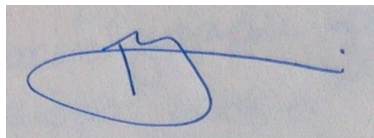
Aloha Chair of the House Committee on Judiciary & Hawaiian Affairs (JHA). We write in support of SB1505 implementing port measures to prevent seabed mining vessels from utilizing HI ports.

Deep seabed mining (DSM) is not necessary to transition away from fossil fuels. DSM is not a smart and sustainable investment. DSM will not result in the equitable distribution of benefits.

We know more and more about the devastation that DSM would cause our ocean. Prospective miners tell the public that we have a hard choice: in order to decarbonize we must pillage the land, or the sea. They often [compare the negative effects of DSM](#) to terrestrial mining. There is no indication that DSM would replace terrestrial mining; there is much evidence that it would not. No terrestrial mining interests have agreed or offered to close or scale back their operations if someone else makes money on DSM. A study commissioned by the ISA found that [DSM would not cause overproduction of minerals globally](#). Scholars have contended that [DSM could end up exacerbating terrestrial mining](#) and its many problems. The concern is, in part, that a “slight decline in prices” could drive down safety and environmental management standards in land-based mining. Despite a buoyant public facade, [the same miners admit](#) that “[i]t may also not be possible to definitively say whether the impact of nodule collection on global biodiversity will be less significant than those estimated for land-based mining.

The State of California passed a ban on seabed mining in state waters last year in 2022, following Washington’s seabed mining ban in 2021 and Oregon’s in 1991. We urge Hawai’i to do the same and ensure passage of SB376 to protect Hawai’i’s coastal waters.

Thank you.



Bobbi-Jo Dobush, Legal Officer  
The Ocean Foundation

Submitted by The Ocean Foundation on behalf of Greenpeace (Arlo Hemphill).

Apologies for the unorthodox submission – Greenpeace will create their own Hawai'i legislature account, but wished to submit this before the hearing.

Greenpeace also strongly supports SB1505 “Department of Transportation; Mooring; Permits; Prohibitions”. The International Seabed Authority has already issued exploration licenses in the Clarion Clipperton Zone of the Pacific, just outside the US EEZ off Hawai'i. Science has shown clear long-distance noise impacts from deep sea mining on whales, an animal of distinct cultural significance to the Hawaiian people, in addition to unknown regional impacts on fisheries, the climate and native culture as a result from sediment plumes, biodiversity loss, and disruption of deep sea carbon sinks. Excluding deep sea mining vessels from Hawaiian ports is a clear and simple way to extend Hawaii's influence on this critical issue beyond state waters.