



February 10, 2022

Members of the Senate Committee on Agriculture and Environment,

We are writing in support of Senate bill SB2962, the proposal to add environmental rights to the Bill of Rights of the Hawaii Constitution. We are in strong support of this proposal to protect the inherent and inalienable right of all people to clean water and air and healthy ecosystems.

The proposed Bill of Rights amendment proposed by SB2962 will raise up our environmental rights so they become part of the guiding obligations and principles for all government action and legislation here in Hawaii. 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. While Hawaii's Constitution Article XI Section 9 recognizes the right of each person to "a clean and healthful environment," it leaves those rights to be defined by law, which is a fundamentally different approach than that being taken by SB2962 wherein environmental rights are placed on par with other fundamental rights we hold dear.

The proposed amendment will ensure that when there are competing interests, environmental protection and rights will be an equal part of the balancing of rights to be protected by government action and decisions, rather than becoming subservient to other asserted rights, goals and needs.

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. As a result, securing Bill of Rights protection for our environmental rights is not intended to, nor would it be expected to, prevent economic growth in our state. But it will ensure that business, industry and economic development and existing business operations advance sustainably and in ways that protect environmental interests, justice and rights.

In addition the amendment will provide a powerful foundation on which our Hawaii government officials can conceive and advance beneficial environmental protection laws, policies, programs and decisions.

We all need clean water and air, a healthful environment and climate, and healthy native ecosystems 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 as the other fundamental rights we hold dear.

Thank you for the opportunity to comment.

Mahalo,

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

Sherry Pollack, Co-Founder, 350Hawaii

Dave Mulinix, Co-Founder, Our Revolution Hawaii

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

Cara Oba, Climate Protectors Coalition Hawaii

Lauren Blickley, Hawaii Regional Manager, Surfrider Foundation

Maxx Phillips, Hawaii Director, The Center for Biological Diversity

Maya van Rossum, Founder, Green Amendments for the Generations