Young climate activists just won a ‘historic’ settlement

The settlement, described as a “world first,” will legally require Hawaii’s transport department to reduce greenhouse gas emissions.



By Victoria Bisset
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The state of Hawaii and more than a dozen climate youth activists reached a settlement Thursday both sides describe as “historic” and the first of its kind in the world — one that will legally require the state to cut its transportation sector’s planet-warming pollution and to consult with young people about its climate impact.

The lawsuit, *Navahine v. Hawai’i Department of Transportation*, which was filed in 2022, accused Hawaii’s transportation system of violating the young plaintiffs’ constitutional right to a “clean and healthful environment” by being “a major and increasing contributor” to the state’s greenhouse gas emissions.

The case is the “world’s first youth-led constitutional climate case seeking to address climate pollution from the transportation sector,” the governor’s office and the two firms involved in the lawsuit, Our Children’s Trust and Earthjustice, said in separate statements Thursday.
Transportation ranks as the largest source of greenhouse gas emissions in Hawaii, and in the United States.

The sector was not only failing to reduce emissions but was also “heading in the opposite direction, without any plan or prospect” for meeting climate targets, the lawsuit said. The youngest of the plaintiffs was nine years old at the time.

Under the settlement, which can be enforced in court, the state will create a plan to reduce greenhouse gas emissions in Hawaii within a year. The plan will include five-year interim emission reduction targets until 2045, or when the state achieves net-zero emissions.

In addition to increasing the use of zero-carbon fuels for ground, air and marine transportation, the plan will also expand and improve alternative transportation options in Hawaii, including public transport and pathways for pedestrians and bikes.

Under the plan, Hawaii’s Department of Transportation will also provide $40 million for public charging stations for electrical vehicles by 2030 and establish a volunteer youth council to regularly advise the department.

“The passion demonstrated by these young people in advocating for a healthy, sustainable future for their generation and those to come, is laudable,” Hawaii Gov. Josh Green (D.) said in a statement Thursday. He noted that many of the plaintiffs are “Native Hawaiian youth who are already experiencing climate change harms to their well-being and their ability to perpetuate cultural practices.”

The head of Hawaii’s transport department, Ed Sniffen, also thanked the youth plaintiffs in the case. “For them to speak out about something they really believe in is tremendous,” he said, while acknowledging that some changes would “piss some people off” and could impact “on mobility in different areas that are going to be difficult, but better for the environment.”
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Fire damage is seen on Aug. 13, 2023 in Lahaina, Hawaii. (Matt McClain/The Washington Post)
For some of the plaintiffs, the lawsuit gained extra urgency in 2023 as wildfires — the deadliest wildfires in modern U.S. history swept through parts of Maui.

Green has previously linked the Maui wildfires to climate change. While the blazes were the result of several factors, the links between human-caused climate change and fires are well established, while changes in the climate are also fueling stronger hurricanes. Last year, a federal report found that climate change is having “far-reaching and worsening” impacts in the United States.

“Hawaii has been a leader for the nation and in some respects the world, in setting goals and making progress in some areas” of climate change, Isaac Moriwake, the managing attorney for Earthjustice’s Mid-Pacific regional office, said in a telephone interview late Thursday. He described transportation, which he said makes up the

majority of greenhouse gas emissions in both Hawaii and the wider United States, as “the next frontier.”

Julia Olsen, the co-executive director and chief legal counsel of Our Children’s Trust, said in an interview that the state’s leaders and government “really listen to the to the youth. And it was that listening with the intention of addressing their concerns and stepping up and leading that really made the difference.”

The nonprofit group is also representing youth activists in other states, including a group in Montana who won a case in August last year that argued the state violated their right to a clean environment — the first ruling of its kind in the United States. The group has also launched legal action on behalf of young people in Utah, Virginia and Alaska.

“We have been working with amazing young people here in Hawaii, but [also] in states across the United States and in countries across the world and the young people today, they are determined,” Olsen said. “They understand what’s happening to their planet, and they are committed to advocating for a better future for them and generations to come, and they have so much to offer.”