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DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND

Friday, April 11, 2025
1:00 PM

State Capitol, Conference Room 229 & Videoconference

In consideration of
HOUSE CONCURRENT RESOLUTION 128
REAFFIRMING THE STATE'S OBLIGATION TO UPHOLD THE CONSTITUTIONAL
RIGHTS OF ITS PEOPLE BY RECOGNIZING THE CRITICAL ROLE OF FRESHWATER
IN MAINTAINING HEALTHY NEARSHORE MARINE ECOSYSTEMS

House Concurrent Resolution 128 reaffirms the State's obligation to uphold the constitutional rights of its people by recognizing the critical role of freshwater in maintaining healthy nearshore marine ecosystems. **The Department of Land and Natural Resources (Department) supports this resolution.**

Clean nearshore waters are vital to both public health and the ecological integrity of Hawai'i's reefs, wetlands, and coastal fisheries. Freshwater from streams and groundwater that discharges to the ocean support native limu, nearshore coral communities, and important amphidromous species, and plays a foundational role in maintaining anchialine pools, loko i'a, and estuarine habitats. While the role of streams has been widely studied, recent research has increasingly demonstrated the significance of submarine groundwater discharge (SGD) in sustaining groundwater-dependent ecosystems (GDEs) across the islands.

This resolution aligns with the Department's mission to protect, manage, and restore natural and cultural resources in collaboration with the people of Hawai'i. The Department commits to assisting in this effort by collaborating with other jurisdictional entities on a statewide effort to maintain healthy nearshore marine ecosystems by recognizing the critical role of freshwater in maintaining these ecosystems.

Within the Department itself, the Commission on Water Resource Management (CWRM) works with the Division of Aquatic Resources (DAR) to better understand biotic responses to restored freshwater

flows. In 2024, CWRM and DAR staff worked together to conduct more than 90 biota surveys of streams statewide, providing valuable insight into amphidromous species and their dependence on freshwater. Another recent example of this collaboration is the restoration of freshwater flow into Kalauha‘iha‘i Fishpond, supporting both ecological function and cultural revitalization. CWRM staff look forward to even greater collaboration with DAR to ensure that estuarine and nearshore reef health is considered when CWRM takes management actions regarding freshwater, including by setting instream flow standards and sustainable yields.

CWRM is engaged in ongoing efforts to develop and refine place-based, adaptive management approaches that improve understanding of how freshwater supports ecosystem function and traditional and customary practices. These efforts are designed to be iterative, informed by new data and community knowledge, and responsive to changing environmental conditions.

We appreciate the Legislature’s recognition of the essential role of freshwater in supporting healthy marine ecosystems and Native Hawaiian practices. This resolution reinforces the need for coordinated, science-based management that honors the State’s public trust responsibilities.

Mahalo for the opportunity to provide testimony in support of this measure.



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND

April 11, 2025

1:00 PM

Conference Room 229

In SUPPORT of HCR128 HD1: REAFFIRMING THE STATE'S OBLIGATION TO UPHOLD THE CONSTITUTIONAL RIGHTS OF ITS PEOPLE BY RECOGNIZING THE CRITICAL ROLE OF FRESHWATER IN MAINTAINING HEALTHY NEARSHORE MARINE ECOSYSTEMS.

Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** HCR128 HD1, which reminds us of the intrinsic preciousness of wai to our islands and ways of life - including our ecologically, culturally, recreationally, and economically critical nearshore marine environment.

As noted in this resolution, the Hawai'i State Constitution and Hawai'i Supreme Court jurisprudence both explicitly and implicitly recognize the importance of wai to the constitutional duties of the state and its agencies as they relate to our coastal environment. This includes the cited the public trust duties to ensure the appropriate protection and use of our natural resources and of water in particular, for the benefit of present and future generations, as well as the duty to protect and enforce Native Hawaiian rights, which include a range of traditional and customary practices associated with healthy and abundant nearshore waters.

The interconnectedness between the health and resilience of our public trust ocean environment and the cultural rights it provides for, and the natural flow of freshwater into our muliwai, accordingly counsel this resolution's reflection and reminder of the critical role of wai in maintaining our nearshore marine ecosystems.

The Sierra Club notes that other constitutional duties - such as the protection of the public's right to a safe and healthful environment - would also require the recognition of wai's central role to healthy nearshore ecosystems. This includes the constitutional obligation to uphold the public's right to a healthy ocean environment in and of itself, as well as to ensure the integrity of our natural critical infrastructure (i.e. coral reefs and healthy watersheds) that will help keep us safe from the impacts of climate destabilization.

Accordingly, the Sierra Club respectfully urges the Committee to **PASS** this measure.

Mahalo nui for the opportunity to testify.

Submitted by: Sayada Jacobs-Williams

Student, University of Hawaii at Mānoa - Thompson School of Social Work & Public Health

Hearing Date: Friday, Apr 11, 2025

Time: 1:00 PM

Place: Conference Room 229 & Videoconference

State Capitol

415 South Beretania Street

Position: Support of HCR 128 HD1

Aloha Chair, Inouye, Lorraine R., Vice Chair, Elefante, Brandon J.C and members of the committee,

My name is Sayada Jacobs-Williams and I'm a social work student at the University of Hawai'i at Mānoa. I am here today in strong support of House Concurrent Resolution 128 HD1.

I believe that this resolution addresses something fundamental to Hawai'i: the importance of protecting freshwater resources—not only for environmental reasons, but also for the well-being of communities, cultural survival, and justice. Freshwater is more than a resource; it is a living part of our ecosystems, integral to the health of our nearshore waters, and deeply rooted in Native Hawaiian knowledge and practices. When that flow is interrupted or polluted, it does harm not just to nature, but to the communities that have cared for and depended on these waters for generations.

As a future social worker, I see this resolution as directly tied to Competency 10 of our professional framework. This competency calls on us to engage with, honor, and respect to

Indigenous cultures and knowledge systems—and to critically examine how colonial structures have historically marginalized these voices. Supporting this resolution is one way we move toward decolonized professional practice. It is a step toward acknowledging the wisdom of Native Hawaiian stewardship and standing in solidarity with their efforts to protect the ‘āina and wai.

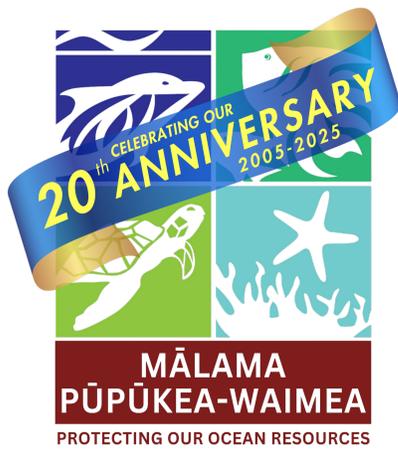
By passing HCR 128 HD1, we not only protect ecosystems but also uphold the rights, practices, and voices of Indigenous communities who have always known how to care for these places. I kindly ask for your support in moving HCR 128 HD1 forward. Mahalo for your time and the opportunity to testify today.

Sincerely,

Sayada Jacobs-Williams

Sayadajw@hawaii.edu

UH Mānoa - Thompson School of Social Work & Public Health



April 8, 2025

To: Chair Inouye, Vice Chair Elefante, and the Senate Committee on Water and Land

Re: **STRONG SUPPORT** of **HCR128 HD1/HR124** Relating to Freshwater; Nearshore Marine Ecosystems

Aloha Aloha Chair Inouye, Vice Chair Elefante, and the Senate Committee on Water and Land,

We write in **STRONG SUPPORT** of **HCR128 HD1/HR124** to reaffirm the State's obligation to uphold the constitutional rights of its people by recognizing the critical role of freshwater in maintaining healthy nearshore marine ecosystems.

Mālama Pūpūkea-Waimea (MPW) is the grassroots, community non-profit that actively works to care for, educate about, and protect our fragile, near-shore marine ecosystems. Our mission is "working to replenish and sustain the natural and cultural resources of the Pūpūkea and Waimea ahupua'a for present and future generations through active community stewardship, education, and partnerships."

Freshwater flowing from rivers, streams, springs, and groundwater is absolutely critical to the health and vitality of our nearshore marine ecosystems. It shapes water quality, supports nutrient cycling, and creates the habitats that marine life depends on to thrive. We deeply value the powerful, irreplaceable connection between land and sea—one that sustains life, balances ecosystems, and ensures the future of our ocean resources.

Mahalo for your **SUPPORT** of **HCR128 HD1/HR124** to recognize the critical role of freshwater in maintaining healthy nearshore marine ecosystem.

Mahalo for the opportunity to provide testimony,
Jenny Yagodich

Director of Educational Programs &
Makai Watch Coordinator

The following are drawings made by keiki in our Ka Papa Kai – Marine Science for Youth program, grades 4, 5, and 6. They hope their art will help explain the importance of freshwater to the nearshore marine environment.

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501(c)(3) FEIN 27-0855937
www.pupukeawaimea.org
info@pupukeawaimea.org

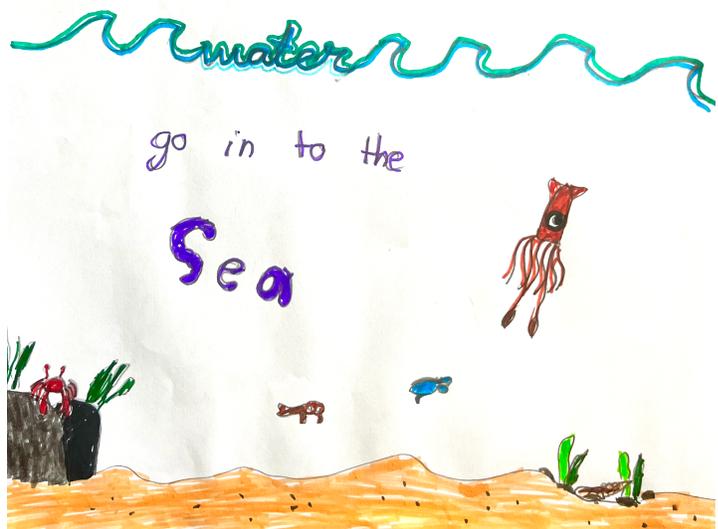


MARINE ANIMALS

need to feel

fresh,

So let fresh

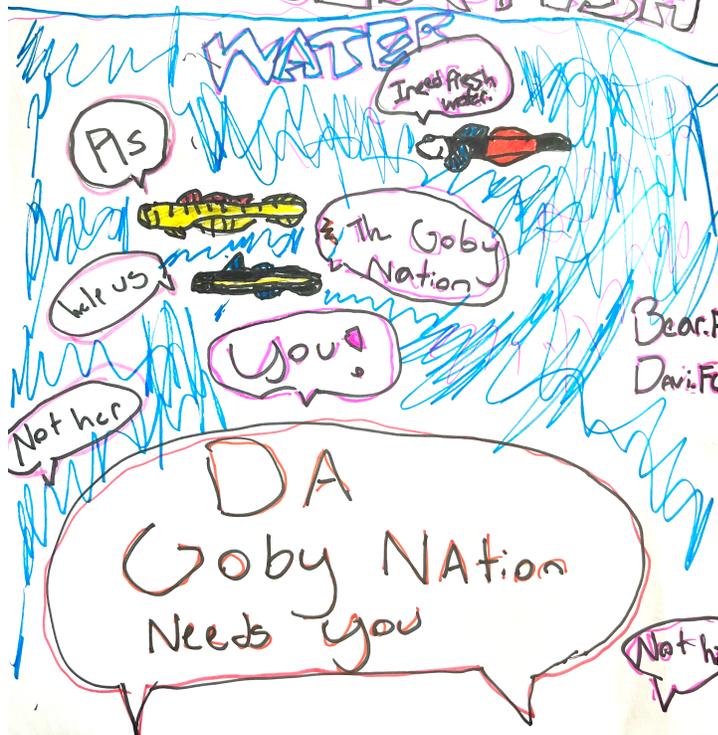


The Ocean Needs FRESH Water

A H U A

U A A

THE GOBIES NEED FRESH WATER



HCR-128-HD-1

Submitted on: 4/8/2025 6:57:07 PM

Testimony for WTL on 4/11/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marine Advocates	Testifying for Marine Advocates Collaborating for Sustainable Aquatic Life through Actions & Discipline	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and the Senate Committee on Water and Land,

We strongly support **HCR128 HD1 / HR124** to reaffirm the state's obligation to uphold the constitutional rights of its people by recognizing the critical role of freshwater in maintaining healthy nearshore marine ecosystems.

Freshwater from rivers, streams, springs, and groundwater is crucial for the health of nearshore marine ecosystems. It plays a vital role in sustaining these environments by providing essential habitats for marine life, enhancing water quality, supporting nutrient cycles, and acting as a key indicator of overall ecosystem health. A steady supply of freshwater helps maintain the vitality and resilience of nearshore marine ecosystems.

We recognize the profound and irreplaceable bond between land and sea, a connection that sustains life, preserves ecological balance, and protects our ocean resources for future generations.

Mahalo,

Marine Advocates Collaborating for Sustainable Aquatic Life through Actions & Discipline



Testimony Before The
Senate Committee on Water & Land (WTL)
IN SUPPORT OF HCR128 HD1
April 11, 2025, 1:00 p.m., Room 229 via Videoconference

We are Olan Leimomi Fisher and Brenda Asuncion Lima, Kua'āina Advocate and Hui Mālama Loko I'a Coordinator, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." **Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'ĀINA MOMONA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

KUA strongly supports HCR128 HD1 as an incremental step toward 'āina momona.

Mōhala i ka wai ka maka o ka pua.

Unfolded by the water are the faces of the flowers.

Flowers thrive where there is water, as thriving people are found where living conditions are good.¹

This measure reaffirms the state's obligation to uphold the constitutional rights of its people by recognizing the critical role of wai (freshwater) in maintaining healthy nearshore marine ecosystems. **All life is reliant on wai, including in kai (salt water) habitats.** It is common knowledge among Native Hawaiian and local kia'i (protectors) of loko i'a, including academically-recognized scientists and other experts, that the continued presence and quality of wai is critical to achieving 'āina momona in nearshore marine environments. Productive loko i'a are not possible without consistent connectivity with clean, freshwater flows. As such, many historic and current loko i'a were originally built near freshwater springs, stream mouths, and estuaries. Many ponds have been lost or unable to function due to stream diversions.

¹ Pukui, Mary Kawena, 'Ōlelo No'eau: Hawaiian Proverbs & Poetical Sayings, #2178 (1983).

Hawai'i once had close to 500 flourishing loko i'a, sustaining the health and wellbeing of communities in numerous ways including culturally and spiritually, and contributing to the fabled 'āina momona of the past through holistically raised and harvested i'a (marine life) including fish, limu, and shellfish. The U.S. Organic Act of 1900 (the Act) abandoned the support of most semblances of Native Hawaiian governance, especially in regard to biocultural resource management. Restoring the health and abundance of our nearshore marine ecosystems is essential to community resilience in the face of increasing natural disasters, political changes, and food insecurity.

The communities we work with are committed to ensuring the long-term health of our biocultural resources that they have cared for and depended on for generations since time immemorial. We believe our environment, the foundation of our very existence and “that which feeds” us all, requires long-term investment through a shared vision of achieving 'āina momona (abundance) once again. To get there requires dedicating more resources for mālama 'āina (caring for our environment), including through this resolution, urging the state and counties to protect and restore more freshwater flows to nearshore marine environments, and likewise provide more education and outreach on the importance of wai for all habitats, including makai. Our decisions today will continue to shape the future that our keiki's keiki's keiki will one day inherit – we hope for a future of shared and harmonious abundance, and hope you do, too.

Mahalo nui loa for this opportunity to submit testimony. Please **PASS** HCR128 HD1.

Aloha 'Āina Momona no nā kau ā kau.



Testimony Before The
Senate Committee on Water & Land (WTL)
IN SUPPORT OF HCR128 HD1
April 11, 2025, 1:00 p.m., Room 229 via Videoconference

We are Olan Leimomi Fisher and Malia Heimuli, Kua'āina Advocate and Limu Hui Coordinator, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." **Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'ĀINA MOMONA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

KUA strongly supports HCR128 HD1 as an incremental step towards 'āina momona.

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This measure reaffirms the state's obligation to uphold the constitutional rights of its people by recognizing the critical role of wai (freshwater) in maintaining healthy nearshore marine ecosystems. **All life is reliant on wai, including in kai (salt water) habitats.** It is common knowledge among Native Hawaiian and local experts and practitioners in all things limu, that the continued presence and quality of wai is critical to achieving 'āina momona in nearshore marine environments.

Limu relies on the presence of wai in nearshore habitats to be able to grow, reproduce, and ultimately sustain the countless other lifeforms that eat it, including i'a (marine life) like fish, 'ōpae (shrimp), honu (turtles), grazers like 'opihi (limpets) and wana

¹ Pukui, Mary Kawena, 'Ōlelo No'eau: Hawaiian Proverbs & Poetical Sayings, #2178 (1983).

(urchins), papa'i (crabs), and also manu (birds) and kānaka (people) alike. The continuation of Native Hawaiian traditional and customary knowledge and practices related to limu also depend on the connectivity of life-giving wai in our kai. Furthermore, restoring the health and abundance of our nearshore marine ecosystems is essential to community resilience in the face of increasing natural disasters, political changes, and food insecurity.

The communities we work with are committed to ensuring the long-term health of our biocultural resources that they have cared for and depended on for generations since time immemorial. **We believe our environment, the foundation of our very existence and “that which feeds” us all, requires long-term investment through a shared vision of achieving ‘āina momona (abundance) once again.** To get there requires dedicating more resources for mālama ‘āina (caring for our environment), including through these two resolutions, urging the state and counties to protect and restore more freshwater flows to nearshore marine environments, and likewise provide more education and outreach on the importance of wai for all habitats, including makai. Our decisions today will continue to shape the future that our keiki's keiki's keiki will one day inherit – we hope for a future of shared and harmonious abundance, and hope you do, too.

Mahalo nui loa for this opportunity to submit testimony. Please **PASS** HCR128 HD1.

Aloha ‘Āina Momona no nā kau ā kau.



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*"He punawai kahe wale
ke aloha. Love is a
spring that flows
freely."*

Laura Thompson
Director Emerita
(1925-2020)

Celebrating 17 years
Founded Oct. 2007

April 9, 2025

House Committee on Water and Land
Hon. Mark J. Hashem, Chair
Hon. Rachele F. Lamosao, Vice Chair

Re: HCR 128 HD1/HR 124 - Reaffirming the State's Obligation to Uphold the Constitutional Rights of Its People by Recognizing the Critical Role of Freshwater in Maintaining Healthy Nearshore Marine Ecosystems
Hrg: April 11, 2025, 1pm. in Conference Room 229

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the WTL Committee:

Maunalua Fishpond Heritage Center is dedicated to the preservation and perpetuation of Maunalua's last fishponds. East O'ahu was celebrated historically for its abundance of fish and fishponds. Mo'olelo passed down of the Native Hawaiian loko i'a (fishponds) in the Maunalua region has been preserved from the reign of Ali'i Kākuhihewa (1534-1634) and earlier from the arrival of Kāne and Kanaloa. These traditions still carry importance as they emphasize the importance of fresh water. The formerly rich fishery was made possible only through wise use of the water resources.

As a community-led nonprofit at the forefront of conserving two Hawaiian legacy fishponds in East Honolulu since 2007, we see the critical role of freshwater springs in the nearshore marine ecosystem. The health and abundance of our fishponds and native species relies on maintaining the freshwater lifeline. We must protect the flow from mauka to the fishponds and feeding out to the nearshore.

When we started this work, Kānewai and Kalauha'īha'ī Springs were choked with invasive species and nearly stagnant water. Today these springs are actively being maintained by community stewardship. Kānewai Spring now has crystalline blue flowing water. Thousands of gallons of freshwater feed each day from this headwater spring out to the adjacent Kānewai Fishpond, Paikō Lagoon State Wildlife Sanctuary and Maunalua Bay. We are currently working with the DLNR to restore artesian water back to Kalauha'īha'ī Spring and Fishpond after the connection was broken during the widening of Kalaniana'ole Highway in the mid-1990s.

We strongly support HCR 128/HR 124 and ask for your support too. Mahalo nui loa for the opportunity to be heard on this Resolution.

Mahalo,

Chris Cramer
Executive Director

EMAIL: [maunaluafishponds\(at\)gmail.com](mailto:maunaluafishponds(at)gmail.com)

WEBSITE: www.maunaluafishpond.org

HCR-128-HD-1

Submitted on: 4/8/2025 5:53:42 PM

Testimony for WTL on 4/11/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Inouye, Vice Chair Elefante, and the Senate Committee on Water and Land,

Situated in Kapalilua (South Kona), Miloli‘i Community-Based Subsistence Fishing Area includes the 18.6 mile coastline waters and submerged lands from the shoreline to the 100-fathom depth contour of the coastline. From Kīpāhoehoe to Manukā, the health of this nearshore marine habitat depends on clean groundwater that originates from the Southwest Mauna Loa Aquifer.

My fishing community recognizes the vital importance of freshwater to all life forms it feeds and crucial that it abundantly reach our nearshore coastal and marine ecosystems, clean and healthy. Kapalilua does not have surface streams, but subterranean estuaries and anchialine pools that have fed our people and nearshore and marine ecosystems for generations. The ‘ōpae ‘ula and healthy coral habitat are indicators of that.

I strongly support **HCR128 HD1 / HR124** in recognizing the vital importance of freshwater to our nearshore and marine ecosystems.

Mahalo for accepting my testimony,

U‘ilani Naipo, Administrator

Miloli‘i Community-Based Subsistence Fishing Area