
HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS TO CONTINUE TO PROTECT
HAWAII'S OCEANS AND WATER RESOURCES BY KEEPING THE
PROTECTIONS UNDER THE 2015 "CLEAN WATER RULE" ISSUED BY THE
ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO THE 1972 CLEAN
WATER ACT.

1 WHEREAS, the Waters of the United States Rule, known as the
2 "Clean Water Rule", issued in 2015 under the authority of the
3 1972 Clean Water Act, was designed to limit pollution in about
4 60 percent of the nation's bodies of water; and

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6 WHEREAS, the clean water protections under the "Clean Water
7 Rule" are vital to protecting the environment and providing
8 quality water to the residents of Hawaii; and

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10 WHEREAS, the "Clean Water Rule" was put forth by the
11 Environmental Protection Agency (EPA) and the Army Corps of
12 Engineers and aimed to extend existing federal protections over
13 large bodies of water, such as the Chesapeake Bay and Puget
14 Sound, to smaller bodies that flow into them, such as small
15 waterways and wetlands; and

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17 WHEREAS, by expanding the EPA's jurisdiction to smaller
18 bodies of water, the "Clean Water Rule" allowed the EPA to limit
19 pollution in many more areas in the nation; and

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21 WHEREAS, the "Clean Water Rule" has not yet taken effect
22 and in 2017 the current President of the United States issued an
23 order directing the EPA to file the documents needed to suspend
24 the effective date of the Rule for two additional years, as it
25 prepares to later roll out its own less stringent water quality
26 control rules; and



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1 WHEREAS, proponents of the "Clean Water Rule" argue that
2 suspending the Rule will make it too easy for farmers, ranchers,
3 real-estate developers, and other industries to pollute waters;
4 and

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6 WHEREAS, the "Clean Water Rule's" protections help ensure
7 that over 100,000,000 Americans have access to clean and safe
8 drinking water, which is a human right; and

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10 WHEREAS, a senior attorney representing the Natural
11 Resources Defense Council told the New York Times on February 1,
12 2018, that the "Clean Water Rule" protects bodies of water that
13 feed the drinking water supply for one in three Americans, and
14 suspending the "Clean Water Rule" will "deny protections for our
15 public health and safety"; and

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17 WHEREAS, Hawaii has encountered water security and
18 pollution issues that have heightened the need for stringent
19 environmental protections to ensure its citizens access to clean
20 water; and

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22 WHEREAS, the Navy's Red Hill Bulk Fuel Storage Facility has
23 experienced leaks, as recently as January 2014, which continue
24 to pose a risk of contaminating drinking water in Oahu's
25 underground aquifers; and

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27 WHEREAS, in February of this year, a sewage spill due to
28 heavy rain released over 9,000,000 gallons of untreated sewage
29 into Windward Oahu waters; and

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31 WHEREAS, enforcement of the "Clean Water Rule" would create
32 substantially cleaner waterways and with them, healthier
33 habitats for threatened species of wildlife; and

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35 WHEREAS, the "Clean Water Rule" aligns with and enables
36 Hawaii's commitment to preserving the State's precious water and
37 environmental resources; now, therefore,

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39 BE IT RESOLVED by the House of Representatives of the
40 Twenty-ninth Legislature of the State of Hawaii, Regular Session
41 of 2018, the Senate concurring, that the United States Congress
42 is urged to continue to protect Hawaii's oceans and water



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1 resources by keeping the protections under the federal "Clean
2 Water Rule" intact; and

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4 BE IT FURTHER RESOLVED that the State of Hawaii will, in
5 the absence of any federal regulations, continue to support the
6 protection of water resources outlined in the "Clean Water
7 Rule"; and

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9 BE IT FURTHER RESOLVED that certified copies of this
10 Concurrent Resolution be transmitted to the President of the
11 United States, Speaker of the United States House of
12 Representatives, President Pro Tempore of the United States
13 Senate, Director of the Environmental Protection Agency,
14 Governor, Chairperson of the Board of Land and Natural
15 Resources, and Director of the Office of Environmental Quality
16 Control.

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19 OFFERED BY: 

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