
HOUSE RESOLUTION

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.

1 WHEREAS, the State is renowned for its pristine beaches,
2 vibrant coral reefs, and diverse marine ecosystems; and
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4 WHEREAS, these nearshore marine habitats provide essential
5 ecosystem services, including food security, coastal protection,
6 recreational opportunities, and economic functions; and
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8 WHEREAS, freshwater entering the ocean from rivers,
9 streams, springs, and groundwater is vital to the health and
10 productivity of nearshore marine ecosystems, influencing water
11 quality, nutrient cycling, and habitat suitability for marine
12 organisms; and
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14 WHEREAS, freshwater in the nearshore marine ecosystem plays
15 a critical role in the health and abundance of native limu
16 (algae and seaweed), which serve key ecological functions,
17 including preventing erosion and coral breakage, creating
18 oxygen, producing sand, serving as food and shelter for marine
19 animals, mitigating global warming through carbon sequestration,
20 and acting as the base of the food web on which fisheries and
21 traditional and customary Native Hawaiian practices rely; and
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23 WHEREAS, amphidromous species, such as the native Hawaiian
24 endemic and indigenous goby fish 'o'opu nākea (*Awaous guamensis*),
25 'o'opu 'alamo'o (*Lentipes concolor*), 'o'opu naniha (*Stenogobius*
26 *hawaiiensis*), 'o'opu nopili (*Sicyopterus stimpsoni*), and 'o'opu
27 akupa (*Eleotris sandwicensis*), as well as the native Hawaiian
28 endemic prawn 'ōpae 'oeaha'a (*Macrobrachium grandimanus*), native
29 Hawaiian endemic shrimp 'ōpae kala'ole (*Atyoida bisulcata*), and
30 native Hawaiian endemic mollusks hīhīwai (*Neritina granosa*) and
31 hapawai (*Neritina vespertina*), rely on freshwater streams, the



1 nearshore marine ecosystem, and the connection between the two
2 in order to successfully complete their lifecycle; and

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4 WHEREAS, alterations to freshwater sources, such as
5 excessive groundwater extraction, streamflow diversion, and
6 pollution adversely affect nearshore marine habitats, leading to
7 coral bleaching, invasive algal blooms, loss of biodiversity,
8 and loss of Native Hawaiian cultural resources; and

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10 WHEREAS, providing a healthy marine ecosystem is essential
11 to the perpetuation of traditional and customary Native Hawaiian
12 practices that depend upon Hawaii's natural environment as the
13 source of Native Hawaiian cultural values; and

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15 WHEREAS, the Hawaii Supreme Court, in *Ka Pa'akai O Ka 'Āina*
16 *v. Land Use Commission*, 94 Hawaii 31, 7 P.3d 1068 (2000),
17 required state and county agencies to conduct a Ka Pa'akai
18 analysis on matters that may impact Native Hawaiian traditional
19 and customary rights; and

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21 WHEREAS, article XI, section 1, of the Hawaii State
22 Constitution provides that: "For the benefit of present and
23 future generations, the State and its political subdivisions
24 shall conserve and protect Hawaii's natural beauty and all
25 natural resources, including land, water, air, minerals and
26 energy sources, and shall promote the development and
27 utilization of these resources in a manner consistent with their
28 conservation and in furtherance of the self-sufficiency of the
29 State."; and

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31 WHEREAS, article XI, section 7, of the Hawaii State
32 Constitution provides that: "The State has an obligation to
33 protect, control and regulate the use of Hawaii's water
34 resources for the benefit of its people."; and

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36 WHEREAS, it is imperative to protect and restore freshwater
37 flows to ensure the long-term health and resilience of Hawaii's
38 nearshore marine ecosystems; now, therefore,

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40 BE IT RESOLVED by the House of Representatives of the
41 Thirty-third Legislature of the State of Hawaii, Regular Session
42 of 2025, that this body reaffirms the State's obligation to



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1 uphold the constitutional rights of its people by recognizing
2 the critical role of freshwater in maintaining healthy nearshore
3 marine ecosystems; and
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5 BE IT FURTHER RESOLVED that the State and counties are
6 strongly urged to prioritize the protection and restoration of
7 freshwater flows to nearshore marine ecosystems by developing
8 and implementing comprehensive water resource management plans
9 and adopting policies that balance human needs with
10 environmental sustainability; and
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12 BE IT FURTHER RESOLVED that the State and counties are
13 requested to work with relevant stakeholders to identify and
14 implement strategies to protect and restore freshwater flows to
15 nearshore marine ecosystems by providing education and outreach
16 efforts to raise awareness about the importance of freshwater to
17 nearshore marine ecosystems within government and among the
18 public; and
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20 BE IT FURTHER RESOLVED that certified copies of this
21 Resolution be transmitted to the Governor, Lieutenant Governor,
22 Chairperson of the Board of Land and Natural Resources, and
23 Mayor of each county.
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OFFERED BY:



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