
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, Hawaii 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 Hawaiian endemic
24 and indigenous goby fish 'o'opu nākea (*Awaous guamensis*), 'o'opu
25 '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 Hawaiian endemic
28 prawn 'ōpae 'oeaha'a (*Macrobrachium grandimanus*), Hawaiian endemic
29 shrimp 'ōpae kala'ole (*Atyoida bisulcata*), and Hawaiian endemic
30 mollusks hīhīwai (*Neritina granosa*) and hapawai (*Neritina*
31 *vespentina*), rely on freshwater streams, the nearshore marine



1 ecosystem, and the connection between the two in order to
2 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
7 to 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, "For the benefit of present and future
23 generations, the State and its political subdivisions shall
24 conserve and protect Hawaii's natural beauty and all natural
25 resources, including land, water, air, minerals and energy
26 sources, and shall promote the development and utilization of
27 these resources in a manner consistent with their conservation
28 and in furtherance of the self-sufficiency of the State."; and

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

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

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



1 the critical role of freshwater in maintaining healthy nearshore
2 marine ecosystems; and

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4 BE IT FURTHER RESOLVED that the State and counties are
5 strongly urged to prioritize the protection and restoration of
6 freshwater flows to nearshore marine ecosystems by developing
7 and implementing comprehensive water resource management plans
8 and adopting policies that balance human needs with
9 environmental sustainability; and

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11 BE IT FURTHER RESOLVED that the State and counties are
12 requested to work with relevant stakeholders to identify and
13 implement strategies to protect and restore freshwater flows to
14 nearshore marine ecosystems by providing education and outreach
15 efforts to raise awareness about the importance of freshwater to
16 nearshore marine ecosystems within government and among the
17 public; and

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19 BE IT FURTHER RESOLVED that certified copies of this
20 Resolution be transmitted to the Governor, Lieutenant Governor,
21 Chairperson of the Board of Land and Natural Resources, and
22 Mayor of each county.

