

MAR 07 2025

SENATE RESOLUTION

REQUESTING THE COUNTY OF MAUI TO ACQUIRE ALL WEST MAUI WATER SYSTEMS THROUGH EMINENT DOMAIN AND TO HOLD THEM IN TRUST FOR THE PUBLIC, WITH MANAGEMENT UNDER THE COUNTY WATER SYSTEM, PURSUANT TO THE PUBLIC TRUST DOCTRINE.

1 WHEREAS, West Maui's water resources are under significant
2 strain, due to prolonged drought conditions, climate change, and
3 increased demand from private entities controlling approximately
4 eighty percent of these resources; and
5

6 WHEREAS, the 2023 Maui wildfires, exacerbated by invasive
7 grasses and limited water availability, highlighted the critical
8 need for improved water management and accessibility; and
9

10 WHEREAS, the diversion of streams for private use has
11 negatively affected traditional Native Hawaiian agricultural
12 practices and the ecological health of the region; and
13

14 WHEREAS, it is imperative to assert public control over
15 West Maui's water systems to ensure equitable distribution,
16 enhance resilience against climate-induced droughts and
17 wildfires, and uphold the public trust doctrine enshrined in the
18 Hawaii State Constitution; and
19

20 WHEREAS, the County of Maui has recently explored the use
21 of eminent domain to acquire privately held water systems to
22 ensure public control and equitable distribution of water
23 resources; and
24

25 WHEREAS, restoring public control over West Maui's water
26 systems is necessary to ensure equitable distribution, climate
27 resilience, and the protection of Native Hawaiian water rights;
28 and
29

30 WHEREAS, the County of Maui's initiative to consider
31 utilizing eminent domain to acquire water systems aligns with
32 the county's broader effort to ensure sustainable and equitable
33 resource management, particularly in the wake of climate
34 challenges and disaster recovery efforts; and



