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## HOUSE RESOLUTION

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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 hīhiwai (*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  
20

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




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  
11

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:

  
MAR 07 2025

