

# ***ASSOCIATION OF HAWAIIAN CIVIC CLUBS***

## ***A RESOLUTION***

No. 2017 – 32

### **EXPRESSING SUPPORT OF EFFORTS TO RESTORE WATERFLOW IN THE HISTORIC, NATURAL WATERWAYS OF HAWAI‘I FOR TRADITIONAL AND CUSTOMARY NATIVE HAWAIIAN PRACTICES**

WHEREAS the ‘ōlelo Hawai‘i word for fresh water is “wai” and the word for wealth is “waiwai” connoting the importance Hawaiians place on having access to fresh water; and

WHEREAS, Hawaiians have traditionally depended on stream water for cooking, eating, farming, and cultural and religious practices; and

WHEREAS, restoring continuous, mauka-to-makai streamflow recharges the aquifers, catalyzes the spawning of native stream and near-shore aquatic species, including endemic species of ‘o‘opu, ‘ōpae and other fish like ‘anae, and promotes limu growth; and

WHEREAS, the Hawai‘i State Constitution Article XI, Section 7 establishes that “[t]he State has an obligation to protect, control and regulate the use of Hawai‘i’s water resources for the benefit of its people”; and

WHEREAS, in 1987, the Hawai‘i State Legislature established the Water Code, codified in Chapter 174C of the Hawai‘i Revised Statutes, which manages the permitted usage of water in the State of Hawai‘i, including any alterations to its streams, rivers, and other waterways; and

WHEREAS, §174C-101(c), HRS, the section of the Water Code provides that “Traditional and customary rights of ahupua‘a tenants who are descendants of Native Hawaiians who inhabited the Hawaiian Islands prior to 1778 shall not be abridged or denied by this chapter”; and

WHEREAS, after decades of legal battles and advocacy from the Hawaiian community and others, the Hawai‘i Supreme Court helped to restore natural streamflow to historically flowing waterways on O‘ahu and Maui, citing a lack of consideration for Native Hawaiian practices as among the reasons for its decision in *In re Waiāhole Combined Contested Case Hearing*, 94 Hawai‘i 97, 9 P.3d 409, (2000) and *In re ‘Iao Ground Water Mgmt. Area High-Level Source Water Use Permit Applications*, 128 Hawai‘i 228, 287 P.3d 129 (2012); and

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 58<sup>th</sup> Annual Convention in Seattle, Washington, in the malama of ‘Ikuwā and the rising of Māhealani, this 4<sup>th</sup> day of November 2017, expressing support of efforts to restore waterflow in the historic, natural waterways of Hawai‘i for traditional and customary Native Hawaiian

practices; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Chair of the State of Hawai‘i Commission on Water Resource Management, Director of the ‘A‘ali‘i Program at Nānākuli High and Intermediate School, as well as the Governor of the State of Hawai‘i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate Committee on Hawaiian Affairs, Chair of the State House Committee on Ocean, Marine Resources & Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



The undersigned hereby certifies that the foregoing Resolution was duly adopted in the malama of ‘Ikuwā and the rising of Māhealani on the 4<sup>th</sup> day of November 2017, at the 58th Annual Convention of the Association of Hawaiian Civic Clubs in Seattle, Washington.

*Annelle C. Amaral*

Annelle C. Amaral, President