REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT RULES PROHIBITING THE DELIBERATE OBSTRUCTION AND DESTRUCTION OF NATURAL SPRINGS.

WHEREAS, there once existed immensely large expanses of manmade ponds and naturally-formed estuaries stretching from Waikiki to Pearl Harbor that have since been filled in to accommodate the attraction of seaside living for residents, the tourist industry, and military interests; and

WHEREAS, the same fate has befallen ancient fishponds and natural springs that once dotted the shoreline surrounding the island of Oahu: from the former site of the state's largest fishpond in Hawaii Kai to the numerous fishponds of Kaneohe Bay, and to the spring-fed sinkholes in the Ewa Plain; and

WHEREAS, with few exceptions, all of these areas that were once working fishponds or natural estuaries have been permanently removed or altered; and

WHEREAS, the destruction of such ecologically- and culturally-significant bodies of water continues today, as with the natural spring in Hawaii Kai that is connected with Hawea Heiau, that was recently bulldozed over by developers; and

WHEREAS, all waters of the state are subject to regulation under the provisions of the State Water Code; and

WHEREAS, as stated in section 174C-2 of the Hawaii Revised Statutes regarding water, "adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation"; and
WHEREAS, the State has the responsibility to prevent the
knowing, willful obstruction or destruction of natural springs;
now, therefore,

BE IT RESOLVED by the House of Representatives of the
Twenty-fifth Legislature of the State of Hawaii, Regular Session
of 2010, that the Department of Land and Natural Resources
(DLNR) is requested to adopt rules prohibiting the deliberate
obstruction and destruction of natural springs; and

BE IT FURTHER RESOLVED that in developing its rules, DLNR
is also requested to take inventory of and assess all natural
springs in the state; and

BE IT FURTHER RESOLVED that certified copies of this
Resolution be transmitted to the Chairperson of the Board of
Land and Natural Resources, Chairperson of the Hawaii Kai
Neighborhood Board, Executive Director of the Sierra Club –
Hawaii Chapter, and Executive Director of the Nature Conservancy
in Hawaii.

OFFERED BY:  

MAR 10 2010