HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

H.R. NO. 160

HOUSE RESOLUTION

URGING THE UNITED STATES CONGRESS TO CONTINUE TO PROTECT HAWAII'S OCEANS AND WATER RESOURCES BY KEEPING THE PROTECTIONS UNDER THE 2015 "CLEAN WATER RULE" ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY PURSUANT TO THE 1972 CLEAN WATER ACT.

WHEREAS, the Waters of the United States Rule, known as the "Clean Water Rule", issued in 2015 under the authority of the 1972 Clean Water Act, was designed to limit pollution in about 60 percent of the nation's bodies of water; and

WHEREAS, the clean water protections under the "Clean Water Rule" are vital to protecting the environment and providing quality water to the residents of Hawaii; and

WHEREAS, the "Clean Water Rule" was put forth by the Environmental Protection Agency (EPA) and the Army Corps of Engineers and aimed to extend existing federal protections over large bodies of water, such as the Chesapeake Bay and Puget Sound, to smaller bodies that flow into them, such as small waterways and wetlands; and

WHEREAS, by expanding the EPA's jurisdiction to smaller bodies of water, the "Clean Water Rule" allowed the EPA to limit pollution in many more areas in the nation; and

WHEREAS, the "Clean Water Rule" has not yet taken effect and in 2017 the current President of the United States issued an order directing the EPA to file the documents needed to suspend the effective date of the Rule for two additional years, as it prepares to later roll out its own less stringent water quality control rules; and

WHEREAS, proponents of the "Clean Water Rule" argue that suspending the Rule will make it too easy for farmers, ranchers,
WHEREAS, the "Clean Water Rule's" protections help ensure that over 100,000,000 Americans have access to clean and safe drinking water, which is a human right; and

WHEREAS, a senior attorney representing the Natural Resources Defense Council told the New York Times on February 1, 2018, that the "Clean Water Rule" protects bodies of water that feed the drinking water supply for one in three Americans, and suspending the "Clean Water Rule" will "deny protections for our public health and safety"; and

WHEREAS, Hawaii has encountered water security and pollution issues that have heightened the need for stringent environmental protections to ensure its citizens access to clean water; and

WHEREAS, the Navy's Red Hill Bulk Fuel Storage Facility has experienced leaks, as recently as January 2014, which continue to pose a risk of contaminating drinking water in Oahu's underground aquifers; and

WHEREAS, in February of this year, a sewage spill due to heavy rain released over 9,000,000 gallons of untreated sewage into Windward Oahu waters; and

WHEREAS, enforcement of the "Clean Water Rule" would create substantially cleaner waterways and with them, healthier habitats for threatened species of wildlife; and

WHEREAS, the "Clean Water Rule" aligns with and enables Hawaii's commitment to preserving the State's precious water and environmental resources; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the United States Congress is urged to continue to protect Hawaii's oceans and water resources by keeping the protections under the federal "Clean Water Rule" intact; and
BE IT FURTHER RESOLVED that the State of Hawaii will, in the absence of any federal regulations, continue to support the protection of water resources outlined in the "Clean Water Rule"; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the United States, Speaker of the United States House of Representatives, President Pro Tempore of the United States Senate, Director of the Environmental Protection Agency, Governor, Chairperson of the Board of Land and Natural Resources, and Director of the Office of Environmental Quality Control.

OFFERED BY: [Signature]

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