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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO  
ESTABLISH INSTREAM FLOW STANDARDS FOR ALL STREAMS IN THE  
HANA DISTRICT.

1 WHEREAS, Article XI, section 7, provides in part that the  
2 "State has an obligation to protect, conserve, and control and  
3 regulate the use of Hawaii's water resources for the benefit of  
4 its people" including the protection of "ground water and  
5 surface water resources, watersheds and natural stream  
6 environments..."; and  
7

8 WHEREAS, section 174C-71, Hawaii Revised Statutes, mandates  
9 the Commission on Water Resources Management to "[E]stablish  
10 instream flow standards on a stream-by-stream basis..." if it  
11 determines that the public interest requires an instream flow  
12 standard for a particular stream; and  
13

14 WHEREAS, an instream flow standard "shall be expressed in  
15 terms of variable flows of water necessary to protect adequately  
16 fishery, wildlife, recreational, aesthetic, scenic, or other  
17 beneficial instream uses in the stream..."; and  
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19 WHEREAS, the Commission on Water Resources Management has  
20 not considered instream flow standards for any streams in the  
21 Hana District, including Kahikinui, Kaupo, Kipahulu, Hana, and  
22 Koolau; now, therefore,  
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24 BE IT RESOLVED by the House of Representatives of the  
25 Twenty-fourth Legislature of the State of Hawaii, Regular  
26 Session of 2007, the Senate concurring, that the Commission on  
27 Water Resources Management is requested to determine whether the  
28 public interest requires the adoption of an instream flow  
29 standard for any streams within the Hana District; and  
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1 BE IT FURTHER RESOLVED that any instream flow standards  
 2 adopted be expressed in terms of the variable flows of stated  
 3 volumes of water, from time to time, for the protection of:

- 4  
 5 (1) Downstream fisheries, wildlife, and instream biota;  
 6  
 7 (2) Traditional and customary native Hawaiian  
 8 agricultural, cultural, and religious practices; and  
 9  
 10 (3) Recreational, aesthetic, and scenic values; and  
 11

12 BE IT FURTHER RESOLVED that certified copies of this  
 13 Concurrent Resolution be transmitted to the Chairperson of the  
 14 Commission on Water Resources Management, the Director of  
 15 Health, the Aquatic Biologist of the Department of Land and  
 16 Natural Resources, the University of Hawaii Cooperative Fishery  
 17 Unit, the Director of the Pacific Islands Regional Office of the  
 18 United States Fish and Wildlife Service, and the Mayor of Maui  
 19 County.  
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