

**From:** [Eva M. Blumenstein](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] RE: 12/13/2024 BLNR Meeting; Agenda Item D-9 (Land Division)  
**Date:** Friday, December 13, 2024 7:34:40 AM

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Good morning,

I would like to be available for questions on our written testimony regarding item D-9. Please forward zoom link.

Mahalo,

Eva

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Eva Blumenstein  
Planning Program Administrator  
Maui County Department of Water Supply  
200 South High Street  
Wailuku, Hawaii 96793-2155  
Tel: [\(808\) 463-3102](tel:(808)463-3102)

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**From:** Linda K. Kimura <Linda.Kimura@co.maui.hi.us>  
**Sent:** Thursday, December 12, 2024 7:23 AM  
**To:** blnr.testimony@hawaii.gov  
**Cc:** Richard Bissen <Richard.Bissen@co.maui.hi.us>; Josiah K. Nishita <Josiah.K.Nishita@co.maui.hi.us>; John Stufflebean <John.Stufflebean@co.maui.hi.us>; James A. Landgraf <James.Landgraf@co.maui.hi.us>; Eva M. Blumenstein <Eva.Blumenstein@co.maui.hi.us>; Caleb P. Rowe <Caleb.Rowe@co.maui.hi.us>; Jonathan Scheuer (jonathan@kahalawaiconsulting.com) <jonathan@kahalawaiconsulting.com>; Gina M. Young <Gina.Young@co.maui.hi.us>; shan.tsutsui@mahipono.com; grant.nakama@mahipono.com  
**Subject:** 12/13/2024 BLNR Meeting; Agenda Item D-9 (Land Division)

Attached is County of Maui, Department of Water's testimony relating to the above-agenda item. If you have any questions, please contact me.

Thank you,

*Linda Kimura, Secretary to*  
John Stufflebean, P.E., Director  
James "Kimo" Landgraf, Deputy Director  
200 South High Street, 5<sup>th</sup> Floor  
Wailuku, HI 96793  
(808) 270-7816

**From:** [Patti Choy](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony re: agenda item D-9  
**Date:** Friday, December 13, 2024 8:55:22 AM

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Aloha Chair Chang and members of the Board of Land and Natural Resources,

No more excessive amounts of water for corporations. Wai is a resource needed by all living beings, not just corporate hogs.

The proposed diversion amount under the 2025 revocable permit exceeds what both the diverters and the county can use on any given day. Allocating more water than is needed continues to perpetuate waste and take much needed water from native stream and coastal ecosystems and downstream users, including farmers and residents that rely on stream flows for traditional agriculture and subsistence and cultural practices.

Further, water usage data clearly show that millions of gallons of diverted stream water continue to leak from Mahi Pono's unlined reservoirs every day. Millions of gallons of water that should have remained in East Maui's streams, watersheds, aquifers, and estuaries will be lost every day to leakage under the 2025 revocable permit. Allowing these leaks to persist while continuing to take water from East Maui streams is unacceptable, especially as we face ongoing drought conditions and the impacts of climate destabilization.

I urge the Board to take the following actions:

Reduce the allocated diversion amount to align with actual water usage data, ensuring no more water is diverted than is truly needed.

Require the diverters to use lined reservoirs to prevent further waste.

Thank you for your consideration.

Patrice Choy  
Honolulu  
Shut Down Red Hill  
Not Pau Yet!

**From:** [Kendra Hunter](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on water usage  
**Date:** Friday, December 13, 2024 10:29:22 AM

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Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Kendra Hunter and I am a resident of Haiku.

Maui's waters are for all the people of Maui. The indigenous people of Maui especially.

Our waters are not meant for big business to monopolize and steal.

Further, water usage data clearly show that millions of gallons of diverted stream water continue to leak from Mahi Pono's unlined reservoirs every day. Millions of gallons of water that should have remained in East Maui's streams, watersheds, aquifers, and estuaries will be lost every day to leakage under the 2025 revocable permit. Allowing these leaks to persist while continuing to take water from East Maui streams is unacceptable, especially as we face ongoing drought conditions and the impacts of

I urge the Board to take the following actions:

- Reduce the allocated diversion amount to align with actual water usage data, ensuring no more water is diverted than is truly needed.
- Require the diverters to use lined reservoirs to prevent further waste.

Thank you for your consideration.

Sincerely, Kendra Hunter

**From:** [Jerome Kekiwi Jr.](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item D-9  
**Date:** Friday, December 13, 2024 11:35:52 AM

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Aloha,  
My name is Jerome Kekiwi Jr I would like to testify on item D-9.  
Mahalo

**From:** [Leila Morrison](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony re: agenda item D-9  
**Date:** Saturday, December 14, 2024 5:32:09 PM

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Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Leila Morrison and I am a resident of Makawao, Maui.

The proposed diversion amount under the 2025 revocable permit EXCEEDS what BOTH the diverters and the county can use on any given day. Allocating more water than is needed continues to perpetuate waste and take much needed water from native stream and coastal ecosystems and downstream users, including farmers and residents that rely on stream flows for traditional agriculture and subsistence and cultural practices.

Further, water usage data clearly show that millions of gallons of diverted stream water continue to leak from Mahi Pono's unlined reservoirs every day. Millions of gallons of water that should have remained in East Maui's streams, watersheds, aquifers, and estuaries will be lost every day to leakage under the 2025 revocable permit. Allowing these leaks to persist while continuing to take water from East Maui streams is unacceptable, especially as we face ongoing drought conditions and the impacts of climate destabilization.

As a woman of Hawai'i who cares deeply for this place and about its future including its ability to sustain future generations of Hawaiians and kama'āina, I urge the Board to take the following actions:

- Reduce the allocated diversion amount to align with actual water usage data, ensuring no more water is diverted than is truly needed.
- Require the diverters to use lined reservoirs to prevent further waste.

Mahalo for your consideration.

Leila Morrison

**From:** [Mavis Oliveira-Medeiros](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Agenda item D9  
**Date:** Friday, December 13, 2024 2:22:56 PM

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Aloha Chair Chang & Members of the Board,

My name is Mavis Oliveira-Medeiros & I'm writing to you regarding Agenda item D9 Issuing 1 year Revocable permit to A & B & EMI.

I know you're probably aware that many of these rivers were returned via a court case involving Na Moku Aupuni O Koolau. There were specific percentages of water that was returned to the aina & should be going to taro use or returned to the sea & not divert so much water that it doesn't reach the sea. As you may know, our people subsidy their living by fishing, catching opae, o'opu, hihiwai, not to mention the ocean fishes & corals that rely on the fresh water for spawning, healthy coral & a healthy eco system in the sea.

1. My concern is that A&B & EMI will just divert more from these already settled streams & also who's measuring the amounts? I hope that this is considered and if not, that you require that before you agree to this lease.

2. My 2nd concern is that it looks like they're gonna start taking water from streams on the Hana side of Makapipi. It's kind of been "common knowledge" that the furthest they come in East Maui, Hana side, is Makapipi. In looking at the TMK #'s, that doesn't sit well with us. It's like they're saying, "okay, they don't want us to take from these other streams, we'll take from these other ones."

3. I just really have a hard time understanding how or why the State entities with the duty to protect the water for the Public, would even let one entity take so much water from one area. Especially when there's no Sugar Plantations. This does not sit well with East Maui. Mahi Pono does not plant food for Hawaii that I'm aware of besides some watermelon. I think the State BLNR has a duty to check if A&B has exhausted all their other options such as fixing their reservoirs, fixing leaks in their diversions & making other means of consuming water.

Mahalo for this opportunity to testify,

Mavis Oliveira-Medeiros,  
East Maui Resident  
(808)866-7409

**From:** [Colleen OShea Wallace](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Water on Maui  
**Date:** Saturday, December 14, 2024 10:56:43 AM

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I urge the Board to take the following actions: Reduce the allocated diversion amount to align with actual water usage data, ensuring no more water is diverted than is truly needed. Require the diverters to use lined reservoirs to prevent further waste. Thank you for your consideration. Sincerely and With Aloha From,

Colleen O'Shea Wallace, B.S., M.P.H., C.F.L.E.

**From:** [scott.werden](mailto:scott.werden)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for BLNR Meeting of December 12, 2024, Item D-9  
**Date:** Friday, December 13, 2024 5:28:45 AM

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Aloha Chairperson Chang and board members,

I would like to request the following modifications to the permit, as per staff recommendations, for item D-9 on the agenda for the December 12, 2024 meeting of the Land Board.

- 1) The staff recommendation is that the Permittee is required to submit quarterly reports to the DLNR. We request that the quarterly report also be provided to all eight members of the committee listed in condition (6) on page seven of the recommendation.
  
- 2) We request an additional requirement of the aforementioned quarterly report: The Permittee must list changes in diversion settings made by the Permittee that affected in-stream flow for streams that have an IIFS set by the CWRM, made during the reporting period. For streams that did have a change in diverted water during the quarter, Permittee must also state the method they used to verify that IIFS amounts set for the stream were adhered to when the diversion setting was changed, and the value of their reading that verified the in-stream flow was sufficient.

Mahalo for your time and consideration,

Scott Werden  
Ha'iku, HI  
[scott.werden@gmail.com](mailto:scott.werden@gmail.com)