

**From:** [Francine Aarona](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10  
**Date:** Thursday, November 13, 2025 6:33:24 AM

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TESTIMONY IN SUPPORT OF AGENDA ITEM D-10 Contested Case Hearing for Long-Term East Maui Water Lease Aloha Chair and Members of the Board, My name is Mapuana Aarona, and I strongly support moving forward with Agenda Item D-10 to hold a contested case hearing for the long-term East Maui water lease. Water in Hawai'i is complicated. A contested case hearing is the best way to bring everyone together, hear all sides, and make a fair and informed decision. The State cannot expect Mahi Pono to make major investments in water infrastructure without a long-term lease. It's like asking a renter to remodel your kitchen without a lease — it's just not fair. Farmers need stability to keep investing in irrigation, watershed management, and local food production. Please move this process forward so we can keep Maui's agriculture alive and ensure responsible water use for everyone. Mahalo, Mapuana Aarona

**From:** [Kehaunani Abad](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item B-10  
**Date:** Thursday, November 13, 2025 8:00:01 AM

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Aloha nō e Chair Chang and Members of the Land Board,

Mahalo nui for the chance to offer this testimony. My name is Kēhaunani Abad, a supporting ‘ohana member of an ‘ohana who are mahi kalo of Honopou. I urge you to reject any action that advances a long-term lease of East Maui streams to Mahi Pono (PSP Investments).

For more than a century, East Maui’s wai—protected by kānāwai, affirmed by the Hawaiian Kingdom, and enshrined in our State Constitution—has been diverted to serve corporate sugar interests at the expense of Native Hawaiian ‘ohana and ecosystems. This water was never meant to enrich foreign investors; it was, and remains, a public trust resource meant to nourish kalo, stream life, and community well-being.

King Kalākaua himself included clauses in the original Crown Lands leases prohibiting harm to those downstream. Yet, over time, those protections have been ignored, and today millions of gallons are still siphoned daily from streams that should be thriving.

Before any lease can even be contemplated, the State must address long-standing violations of the public trust. The Water Commission’s restoration orders remain unfulfilled, while streams continue to run dry. Millions of gallons are still lost every day through unlined reservoirs that Mahi Pono refuses to repair, and the contested case hearing required by court order to examine the harm to native species, watershed health, and Hawaiian rights has yet to be held. It is irresponsible and contrary to your mandate to pursue a 30-year

lease when these violations persist unresolved.

To consider a long-term lease for Mahi Pono while drought worsens and community-led restoration efforts are underway is to repeat the very injustices that began with the illegal overthrow. It undermines the will of Maui voters who established the East Maui Community Water Authority to steward this resource with accountability and aloha 'āina.

Please uphold your kuleana under the public trust doctrine. Do not continue this legacy of diversion and disenfranchisement. Instead, direct staff to work with the East Maui Community Water Authority to restore and manage these streams for the benefit of Hawai'i's people, not foreign profit.

Mahalo nui for your consideration and courage.

Ke aloha nō,  
Kēhaunani Abad, PhD

**From:** [Yeshua Aquino](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda item D-10  
**Date:** Thursday, November 13, 2025 8:40:46 AM

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Dear Chair Chang and Members of the Land Board,

My name is Yeshua Keanolani Aquino and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

- 1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
- 2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
- 3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Keanolani

**From:** [Liana Jean Aulii](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for D-10  
**Date:** Wednesday, November 12, 2025 9:24:08 PM

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Aloha Mai Kakou,

**I request a link to the Zoom for the opportunity to testify via voice on Friday November 14th.**

To the Board, those who oversee, who steward, the Land and Natural Resources of our 'Aina. Please come into your Kahu, your Guardianship, of our Island Home.

Wai is not merely a trade item for profit, personal use or temporary gain. "Wai is the giver of life, transmitter of knowledge and a conduit of generational wealth."

Beyond limiting perspectives, division, argument or blame, beyond the data or the legal proceedings. We know, deep down, what is pono for the future of our island and the stories we WANT to tell our grandchildren.

That we did not fold under the pressure of giving away our precious resources for temporary monetary gain. Or look for an easy way out of shifting responsibility. That we decided the steady road of hana, work, towards restructuring our system towards greater sustainability and health - for our people, lands and waters.

"A Konohiki, the headsman of an Ahupua'a's governing ability rested on deep empirical knowledge of a place and the reciprocal responsibility to balance communal use with sustainability. They regulated access to resources in an Ahupua'a. Access was not a right given freely but through earned continuous stewardship and contribution to the well being of the land and its health."

Money driven focus steals from the land, money driven motivation distracts from purposeful ACTION. The land is perpetuated in righteousness - not in convenience.

It will take presence, effort and time, it will cost, to update our resource delivery infrastructure. And - we can find creative financing solutions that do not give our power and freedom away. We can rebuild in ways that safeguard the health of our ecosystems, residents AND economy.

It will take reorganization, to properly bring the kuleana of our waters back under the stewardship of our people. And - we have the East Maui Water Authority, the 'Aha Wai o Maui Hikina Community Board, professional Hydrologists, citizen scientists, community groups and Financing Partners to take on this task.

It will take kilo, observation, of our weather, climate and relations, to efficiently plan for and perpetuate a vibrant life for our residents and visitors alike. One that can adapt to shifting circumstances in our changing world with wisdom, patience and cooperation.

Mahi Pono / PSP Investments does not qualify as the Konohiki of our island's veins. They do not hold the observation, responsibility or true investment in the health and sustainability of our island. They can

be a client, but not the director of this resource.

“Management is a sacred act as much as a practical one. Water was not privately owned, but communally protected... Mis-managing water not only disrupts ecological balance but ancestral continuity. “

The land can be leased with responsibility to care for it. But water. Water should NEVER be privately owned, especially to a corporation and especially to a foreign one. There is no true reciprocity and care there.

We are on many precipices as a society, and our actions now have sweeping consequences. We have the opportunity to combine traditional knowledge with modern technology to create collaborative solutions.

KOKUA, help us, together, do the right thing.

All we have to do is to say - no.

We have stewardship of this aspect of our island's infrastructure from here on out, and you can use it only if you demonstrate sustainable and respectful use. This has already been voted upon.

Let us spend our time and energy restructuring towards a sustainable future in alignment with our values and collective wisdom.

Mahalo Nui Loa.

With Humility and Respect,

Liana Jean Auli‘ilani

\* Quotes are excerpts from Maui Hikina, Kumu Pono Associates, July 2025

**From:** [Liana Jean Auli'i](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 8:08:46 PM

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Dear Chair Chang and Members of the Land Board,

My name is Liana Auli'i from Huelo and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui loa,

Liana Jean Auli'ilani

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**Liana Jean Auli'ilani**  
*Weaver of Field Experiences*  
~ Kahu 'Āina Huaka'i: Elemental Adventures ~  
**808-859-0636** \* [kahuaina.org](http://kahuaina.org)

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**From:** [Lauren Ballesteros](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:39:42 AM

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My name is Lauren Ballesteros-Watanabe and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission .** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui

Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,  
Lauren Ballesteros-Watanabe

**From:** [Ume Binstock](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 9:46:15 PM

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Dear Chair Chang and Members of the Land Board,

My name is Ume Kawika and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Ume Kawika Binstock

**From:** [Stacey Casco](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10, Recommendation to enter into a Contested Case Hearing for the disposition of water license to the East Maui Irrigation System  
**Date:** Thursday, November 13, 2025 9:13:35 AM

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Aloha Chair Chang and Members of the Board,

My name is Stacey Ann L. Casco, a descendant of 'Ohana Marciel of Kaupo, Maui.

I respectfully urge you to reject the staff's recommendation to enter into a Contested Case Hearing for a long-term water license to Mahi Pono for the East Maui Irrigation System.

Under state and federal law, the Department of Hawaiian Home Lands' (DHHL) water reservation request must be granted first — before any water lease is issued. Proceeding without honoring this legal priority violates the Public Trust Doctrine, the Hawai'i Constitution, and Hawai'i Supreme Court rulings like Waiāhole and Kukui (Moloka'i).

It's unacceptable that this Board is considering another 30-year lease to a foreign corporation while East Maui communities still struggle for clean, flowing water. Maui's voters created the 'Aha Wai o Maui Hikina to restore and manage our streams — not watch them be sold off again.

Even after three years of stream restoration orders, many East Maui streams remain dewatered. Millions of gallons are wasted daily because Mahi Pono refuses to line its reservoirs, and DLNR has not completed the court-ordered hearing on these impacts. Rewarding this behavior with a long-term lease undermines public trust.

Please uphold your constitutional duty to protect our wai, our 'āina, and our keiki — not corporate profit.

Reject this recommendation and honor DHHL's legal and moral right to water first.

**From:** [Patti Choy](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 11:48:16 PM

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Dear Chair Chang and Members of the Land Board,

I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams for the following reasons:

**This violates the wishes of Maui County voters.**

**This ignores pressing matters central to *your mission*.**

**This perpetuates drought denial.**

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Thank you.

Patrice Choy

**From:** [Melody Cosma-Gonsalves](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:39:34 AM

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To: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)  
Subject: Testimony on Agenda Item D-10

Dear Chair Chang and Members of the Land Board,

My name is Melody Cosma-Gonsalves and I am kupa 'āina of Waiohōnu, Hāna, Maui and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

- 1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
- 2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
- 3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will

be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Me ka 'o ia i'o,

Melody B.W. Cosma-Gonsalves



**From:** [Micah Palmerton](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Item D-10  
**Date:** Thursday, November 13, 2025 8:00:08 AM

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Aloha Chair Chang and members of the Board,

My name is Micah Palmerton and I am from Maui. I am a homesteader living in Waiohuli, Kula. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,

Micah Palmerton

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Micah K. Palmerton

**From:** [Lilia Davis](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] November 14; Agenda Item D-10 BLNR Meeting, Water License Hearing  
**Date:** Thursday, November 13, 2025 8:11:43 AM

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Aloha e BLNR,

My name is Lilia Davis. I am from Ha'ikū, Maui.

Mahalo for the opportunity to provide testimony on Agenda Item D-10: Recommendation to Hold a Contested Case Hearing Over the Proposed Disposition of Water / Long-Term East Maui Water License. I submit this testimony in strong opposition to the proposed license framework and process as described in the staff submittal.

As the Project Manager for the Ha'ikū Community Association's Stream Quality Monitoring Grant, our monitoring and analysis consistently show that many East Maui streams are already running too low to meet ecological, cultural, and community needs, making further diversion unacceptable.

<https://www.haikumaui.org/haiku-water-quality/>

Second, I **support the County's East Maui Water Authority (EMWA)** as the appropriate body to manage this resource in the public interest. Community-based, transparent, and accountable governance is essential. A license to private entities would continue the harms that have already depleted stream flow and violated the public trust.

BLNR must uphold **Hawai'i's Public Trust Doctrine** and **DLNR's Hierarchy of Use**, which require that instream needs, cultural rights, subsistence users, and ecosystem health come before commercial extraction. The current proposal does not meet these standards and lacks the safeguards and clarity needed to prevent further harm.

For these reasons, I respectfully urge the Board to **reject Item D-10**, return the proposal for redrafting, and ensure that the County EMWA and East Maui communities are centered in all decisions about their water.

Thank you for making change,

Lilia Davis

**From:** [Eddy Garcia](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10 – Request to Testify via Zoom  
**Date:** Thursday, November 13, 2025 8:49:50 AM

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**Dear Chair Chang and Members of the Land Board,**

My name is **Eddy Garcia**, and I am requesting to **testify via Zoom** on Agenda Item D-10. I strongly urge you **NOT** to accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, also known as PSP Investments, a long-term lease for East Maui's streams.

I have been farming between Maui and Moloka'i for over **40 years**, and I currently operate **three farms on Maui**. I am also the **Executive Director of Regenerative Education Centers**, a Hawai'i nonprofit dedicated to educating people on regenerative agriculture and implementing watershed restoration projects in the areas we farm.

Our farms are directly impacted by decisions like this one—because even on the *west* side of Maui, our water is controlled by a **private developer** that lacks both the resources and the willingness to maintain critical water infrastructure. When private entities are tasked with managing public trust water systems, community needs and ecological health are always the first things to be neglected.

I've lived through many phases of Maui's agricultural cycles, and I've seen firsthand how the health of our island's watersheds determines the health of our farms, our food systems, and our communities. When streams are dewatered, **the entire natural cycle is interrupted**. Water doesn't just feed crops—it feeds soil biology, restores aquifers, cools ecosystems, and sustains native species Maui has relied on for generations.

## **1. This proposal violates the will of Maui's voters.**

In 2022, Maui County voters created the **East Maui Community Water Authority ('Aha Wai o Maui Hikina)** specifically to transition East Maui stream management to a community-based model. The DLNR should be supporting this transition—not diverting staff time and resources to enable a foreign corporation to monopolize a public trust resource.

## **2. This disregards urgent water crises that MUST be addressed first.**

Long-standing violations of the public trust continue across East Maui. Many streams remain severely dewatered despite Commission restoration orders. Millions of gallons continue to be lost every single day through **broken, outdated, and neglected infrastructure** that Mahi Pono has shown no desire or capacity to repair.

Additional critical issues include:

- **Contaminated wells** on Mahi Pono-owned land have been abandoned and ignored.
- **Contaminated valleys** filled with toxic agricultural waste and vehicles remain untouched, including toxic materials directly in stream channels.

- If Mahi Pono cannot maintain or remediate the land they already have, why should they be entrusted with *more*?

East Maui Irrigation (fully controlled by PSP) has broken infrastructure all across the system, and they clearly do not prioritize the health of the streams or the integrity of the water system they profit from.

I also farmed in **Maliko Valley** for several years. When I began raising concerns about **tens of millions of gallons** flowing needlessly through Maliko—a dry streambed—because Mahi Pono was effectively **water banking** for their own advantage, they **kicked me out of the valley to silence me**. This is not the behavior of a trustworthy steward of Maui’s most important resource.

Proceeding with a 30-year lease while all of this remains unresolved is not stewardship—it is negligence.

### 3. Mahi Pono’s practices violate Maui’s values and threaten our future.

Their agricultural operations are deeply misaligned with Maui’s vision for responsible land management:

- They till **thousands of acres at a time**, magnifying the risks of erosion and flooding.
- Their practices contribute to heavy **particulate pollution**, with topsoil blowing into our atmosphere, homes, and lungs.
- They cover tens of thousands of acres in **black polyethylene weed mat**, which causes:
  - soil solarization, soil compaction, destruction of microbial life, and accelerated runoff documented previously in the pineapple industry using similar methods.

When paired with their extensive herbicide and pesticide program—especially **glyphosates**—the risks multiply.

Federal law limits the amount of glyphosate allowed per acre per year. Because Maui has a **year-round growing season**, workers regularly exceed these limits, often without proper training. This creates long-term contamination risks to groundwater, ecosystems, and human health.

Additional concerns:

- Their planting of **over 1 million citrus trees** has created an uncontrolled breeding ground for fruit flies—an enormous and growing problem for both small and large farmers.
- Thousands of pounds of stung fruit rot beneath their trees at any given moment, creating a vector for & fueling unprecedented population explosions of invasive flies.

This is a hedge fund attempting to “learn farming” as they go—without the knowledge, the cultural understanding, or the willingness to invest in responsible stewardship. This model cannot be trusted with East Maui’s water for the next 30 years.

#### **4. Stream diversion has already destroyed native species and ecosystems.**

On Maui, many people have grown up thinking it's normal that our major streams no longer reach the ocean. This is the direct result of decades of large-scale diversions by EMI and corporate agriculture.

These diversions have:

- Destroyed the natural **freshwater-to-ocean migration cycles**, which native aquatic species require to survive.
- Allowed invasive species to overwhelm stream habitats.
- Interrupted the **post-larval life stage** of numerous endemic species—including 'ōpae and hīhīwai—which need brackish water (where the stream meets the ocean) before returning upstream.
- Severely impacted native birds and other species that depend on fully intact riparian corridors.

Every endemic species in our stream systems is connected to this cycle. When the streams do not reach the ocean, the entire ecosystem collapses.

I cannot overstate the importance of restoring stream flow from **mountain to sea**. That is how the watershed breathes. That is **ho'ō wai wai**—the Hawaiian understanding of true wealth: *water*.

#### **We need water management FOR the people, BY the people.**

This cannot be left in the hands of foreign investors whose primary interest is profit. We need:

- State and county collaboration
- Public ownership of water systems
- Oversight by scientists, engineers, cultural practitioners, and biologists
- A governance structure rooted in **restoration and regeneration**, not extraction and profit

#### **I urge the Board to reject this proposal.**

Please reject the staff recommendation and direct DLNR resources toward:

- enforcing stream restoration mandates,
- repairing or replacing dysfunctional infrastructure,
- restoring our watersheds, and
- transferring management to the **East Maui Community Water Authority**, as Maui

voters clearly intended.

As someone who has spent his entire life working with the land, I can say with absolute certainty:

**Once we lose our water, we lose everything.**

Please stand with Maui's people—not foreign investors.

**Mahalo nui loa,**

**Eddy Garcia**

Owner, Living Earth Systems

Farmer on Maui & Moloka'i for 40+ Years

Executive Director, Regenerative Education Centers

**From:** [Dave Eggert](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:19:17 AM

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Dear Chair Chang and Members of the Land Board,

My name is Dave Eggert, and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission . The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Dave Eggert  
Davheneggs@gmail.com  
808-318-0231

**From:** [Gilbert Fallau](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony to Reject BLNR Proposal for Long Term Water License in Maui Hikina  
**Date:** Thursday, November 13, 2025 8:06:24 AM

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Aloha Chair Chang and members of the Board,

My name is Gilbert Fallau and I am from Kawaihae Hawaii. I am a homesteader DHHL Beneficiary residing at Kailapa Kawaihae .I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case

Hearing for the disposition of a water license to East Maui Irrigation system.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui IrrigationSystem. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,  
Gilbert Fallau



**From:** [Serena Fukushima](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 11:16:40 PM

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Dear Chair Chang and Members of the Land Board,

My name is Serena Fukushima, and I serve as an Information and Education Specialist with the County of Maui's Department of the East Maui Water Authority. However, I am submitting this testimony as an individual.

I strongly urge you not to accept the staff recommendation to move forward with any process that contemplates control of East Maui's water delivery system to any entity other than the County of Maui. Doing so would contradict the clear will of Maui County voters.

In the 2022 election, the people of Maui overwhelmingly voted to amend the County Charter to establish the Department of the East Maui Water Authority (EMWA). Guided by the department's community board, the 'Aha Wai O Maui Hikina, which represents the communities of Nāhiku, Ke'ānae, Honomanū and Huelo, the department is tasked with the kuleana to develop watershed management plans and acquire and manage water systems to ensure efficient and sustainable distribution of our local water resources. It's work to steward East Maui water resources centers on environmentally sustainable practices, local expertise, and Hawaiian cultural and generational knowledge. This decision to establish EMWA reflects our community's strong commitment to local control and responsible, place-based management of our water delivery system.

Advancing a process that contradicts this intent would undermine the will of the people and diminish the progress our community has worked so hard to achieve. I respectfully urge the Board to honor the voice of Maui's voters and allow the County of Maui the opportunity to fulfill the kuleana entrusted to it by the community.

Mahalo for your time and consideration.

Me ka ha'aha'a,  
Serena Fukushima

**From:** [Lisa Fulcher](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10, Against 30 yr Lease  
**Date:** Wednesday, November 12, 2025 9:32:35 PM

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Dear Chair Chang and Members of the Land Board,

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

My name is Lisa Fulcher I have been a resident of North Shore Maui my entire life and I urge you to NOT accept the staff recommendation to move forward with the process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources. This ignores pressing matters central to your mission . The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous. Mahalo nui loa

Lisa Fulcher

**From:** [Mamie Lawrence Gallagher](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 6:54:42 PM

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Dear Chair Chang and Members of the Land Board,

My name is Mary 'Amaikalani Beckley Lawrence Gallagher, a Native Hawaiian raised in the now drought brown pasture lands of Kula, Maui. For too long, Maui wai has suffered from deforestation, diversion, pollution and over extraction. No more!

I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources. What happens when the next wildfire rips through?
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed. Shame!
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous. No sense!

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, our Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease

to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Mary 'Amaikalani Beckley Lawrence Gallagher  
Mānoa, Hawai'i

**From:** [Kiernyn Rai Garcia](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 9:55:03 PM

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Dear Chair Chang and Members of the Land Board,

My name is Kaleimaile Garcia, born and raised on Maui, and a graduate of Ke Kula Kaiapuni o Kekaulike. I'm testifying **in strong opposition** to any process that would give Mahi Pono, also known as PSP Investments, a long-term lease over East Maui's streams.

For 140 years, East Maui waters have been extracted, diverted, and controlled for corporate gain, draining the life from our streams, wetlands, and communities. This constant cycle of depletion has weakened our ecosystems, reduced stream flow, and disrupted natural balance. The proposal before you would extend this legacy of harm for another 30 years, placing the control of our most precious public resource into the hands of a foreign corporation.

Water is not something that should be bought and sold for personal gain. It's wai. Our source of life. Allowing PSP Investments, through Mahi Pono, to maintain full ownership and control over EMI directly undermines your duty to uphold the public trust and protect Native Hawaiian rights. EMI should not belong to any private company, especially not one driven by money and operating far from the 'āina it exploits. With 100% ownership of EMI, Mahi Pono holds way too much control, power that should never have been given in the first place. The DLNR's focus should be on protecting Maui's public trust resources, not enabling foreign corporations to continue to exploit them.

The people of Maui have already spoken. In 2022, Maui County voters created 'Aha Wai o Maui Hikina to restore community-based management and ensure accountability. They are ready for this kuleana to care for our resources in a way that honors our 'āina and future generations. I am asking you to stand with the people and the land. Not the profit. Approving a long-term lease to Mahi Pono would be to ignore that will and betray the trust of the people.

The kuleana of kanaka Hawai'i is to protect the 'āina, because the health of the land determines the well-being of the people. As our kūpuna taught us, "He ali'i ka 'āina, he kauwā ke kanaka." This 'ike Hawai'i reminds us that it is both our duty and privilege as a lāhui to take care of the land that takes care of us. Our water must nourish life, not the pockets of the rich man. Stand with your community, not with foreign interests.

I urge you to **reject** the staff proposal for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the 'Aha Wai o Maui Hikina to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Kaleimaile Garcia

**From:** [Carol Gaylord](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] East Maui long term lease  
**Date:** Thursday, November 13, 2025 9:14:27 AM

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**Dear Chair Chang and Members of the Land Board,**

**My name is Carol Hitchcock Gaylord and as Kānaka Maoli with Maui ancestors, I urge you to NOT give Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams.**

**In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public resources!**

**There are long-standing violations of the public trust in East Maui's streams that must be addressed by the Land Board before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.**

**As you likely know, over the last five years, East**

**Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.**

**Do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public and Native Hawaiian. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.**

**Mahalo nui,**

**Carol Hitchcock Gaylord**









**From:** [Hokulani Fernandez](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Subject: Reject Staff's Recommendation  
**Date:** Thursday, November 13, 2025 8:14:22 AM

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Aloha Chair Chang and members of the Board,

My name is Cornelia Haliniak and I am from Moku O Keawe. I am a homesteader living in Kaumana on Hawaii Island. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,  
Cornelia Haliniak

**From:** [melialani.hamilton](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] East Maui Water - NOV 2025  
**Date:** Thursday, November 13, 2025 8:46:59 AM

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Aloha,

I am writing this testimony to encourage the State of Hawaii and the BLNR NOT TO SELL EAST MAUI WATER TO CANADA PENSION TRUST, aka MAHI PONO. I STAND IN SUPPORT OF THE EAST MAUI COMMUNITY AND EAST MAUI KALO FARMERS. I encourage the state to return decision making power back to the East Maui Community. Enough is enough. Mahi pono has no right. Mahi Pono does not do anything good for our island. Mahi pono is a corporation that only cares about economic growth, greed, and land and water grabs. Our East Maui Kalo farmers feed our Maui community, caretake our environment, and protect our water so that future generations can thrive. MAHI PONO contributes to the destruction of our island Maui and the over consumption of our precious resources and other than human kin.

I write this testimony as someone who has lived in East Maui for the past few years and has genealogical connections to East Maui. I have talked with kūpuna who are alarmed because even when we do get rain our streams are not as full as they used to be. Listen to kūpuna, listen to East Maui kalo farmers, listen to community and get these greedy corporations away from our WAI!!!

Mahalo,  
Melialani Hamilton



Hawaii Foodservice Alliance LLC, 2720 Waiwai Loop, Honolulu, HI 96819  
Tel: 808.839.2004 ~ Fax: 808.839.2033 ~ HFA@HFAHawaii.com

November 10, 2025

Via Email to: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

Board of Land and Natural Resources  
Attn: Dawn Chang, Chair, and Members  
P.O. Box 621  
Honolulu, HI 96809

RE: TESTIMONY FOR NOVEMBER 10, 2025 BLNR MEETING – AGENDA ITEM D-10  
(RECOMMENDATION TO HOLD A CONTESTED CASE HEARING OVER THE PROPOSED  
DISPOSITION OF A WATER LICENSE FROM THE KOOLAU FOREST RESERVE, ISLAND OF MAUI)

Aloha Chair Chang and Members of the Board,

Hawaii Foodservice Alliance (“HFA”) is grateful for the opportunity to submit testimony in favor of the recommendation to hold a contested case hearing over the proposed disposition of a water license on Maui. As Hawaii’s largest local supplier of perishable foods, HFA has always worked closely with Hawaii’s farming community. We believe our investment in local agriculture strengthens Hawaii’s food systems, and builds a sustainable future for our communities.

Our views on the importance of local agriculture and sustainable food systems are closely aligned with ongoing efforts by the State Legislature. Most recently, the legislature enacted SB1186 in 2025, which established a working group within the State’s Agribusiness Development Corporation to develop a process to implement interagency food systems plans and actions.

Despite these efforts, challenges remain. In HFA’s discussions with our local farming partners, one thing is consistently cited as the most pressing challenge: a lack of reliable and adequate irrigation water. HFA believes that this issue needs to be brought to the forefront of any conversation on agriculture in Hawaii. We support the staff’s recommendation to convene a contested case hearing that will, in large part, discuss the merits of supporting agriculture in Central Maui through the disposition of a water license from State lands.

Again, thank you for the opportunity to testify. It is HFA’s sincere hope that the State will continue its support of local agriculture.

Mahalo!

Chad Buck  
CEO, Hawaii Foodservice Alliance

**From:** [Jackie Hester](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 6:28:14 PM

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Aloha Chair Chang and Members of the Land Board,

My name is Jacqueline Hester, I'm a Hawaii resident of the big island and registered voter

In response to agenda item D-10, I urge you to NOT accept the staff recommendation to move forward with giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams

Maui water should remain in Maui Hawai'i hands

The decision to allow a Canadian company, or any out of state entity makes zero sense. Maui residents have long fought for water rights, they don't need any of opposition or outside influence

Please make the right choice for residents and ultimately, your constituents.

Mahalo, Jacqueline Hester

Sent from my iPhone

**From:** [Shay Chan Hodges](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 10:59:44 PM

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Please see my testimony below. I would also like to testify orally via zoom.

—Mahalo

December 12, 2024

Chairperson Dawn Chang  
Commission on Water Resource Management  
Department of Land and Natural Resources  
1151 Punchbowl St, Room 227  
Honolulu, HI 96813

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

My name is Shay Chan Hodges. I am a Maui resident and former Chair of the Maui County Water Board.

Mahi Pono Holdings' sole owner is the Canadian Public Sector Pension Investment Board (PSP), a Crown Corporation with \$214 billion in assets that invests the pension funds of Canadian government workers. James Infantino, the National Pension Officer for the union representing those workers, warned the East Maui Water Authority Board in September 2024: **"Don't let PSP investments anywhere near this long-term lease."**

Though the union's 240,000 members are impacted financially by PSP's investments, they do not support PSP's extractive corporate ownership model, which includes, for example, the controversial privatization of water infrastructure in Australia's Murray-Darling Basin in 2020 -- during a catastrophic drought and fire season. PSP is now Australia's largest almond grower in the world's second-largest almond-producing region outside of California. Almonds are a highly water-intensive crop and farmers were calling for an almond moratorium last year.

In Toronto, tenants of PSP's buildings endured years of sub-standard conditions until finally reaching a settlement two months ago favoring tenant health and repairs after a two-year rent strike and prolonged legal struggle. And last year, Minnesota's Attorney General obtained a \$4 million settlement against HavenBrook Homes, a PSP-owned rental company, for gross neglect and deception affecting over 600 families—including cases involving lead exposure and disregard for COVID protections.

And when I testified before you 11 months ago, I described how Thames Water had been fined a record £104 million for dumping sewage into UK rivers and a criminal investigation over severe pollution and mismanagement, due to years of private ownership, including investment by another Canadian pension fund -- OMERS. Just two weeks ago, the Guardian reported that Thames Water is on the brink of financial collapse due to huge debts built up over two decades by owners who have been criticized for paying out dividends without investing enough in its leaking pipes and malfunctioning treatment works.

OMERS and PSP's exploitive and destructive strategies are not unusual for Canadian Pension funds. And it is not surprising that our Maui community's experiences with PSP/Mahi Pono are consistent with the experiences in Australia, Toronto, Minnesota, and the United Kingdom.



On Maui, we know that corporate ownership means deferred maintenance, extractive practices, and harmful environmental and cultural impacts. Because of this, hundreds of Maui residents from Nahiku to Kula attended East Maui Water Authority community meetings in June and October and worked together to design stewardship models rooted in transparency, *kuleana*, and resilience. These models measure success by healthy ecosystems, eradication of invasives, multigenerational knowledge transfer, and local food security, not corporate profits or overseas pension dividends.

**The choice is clear: stand with those who have shown true stewardship of our land and water or invite further harm by siding with profit-driven foreign interests.**

Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo.

Shay Chan Hodges  
Haiku, Maui  
808.250.6160

**From:** [Nāpua Hū'e'u](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:47:07 AM

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BLNR,

As a generational taro farmer holding kuleana of active, producing lo'i kalo in both the Ke'anae and Honomanu Ahupua'a, I oppose the granting of long term lease to foreign corporation Mahi Pono, who is not growing food for the island community in a way that is sustainable. I would like to testify on item D-10.

On a day to day basis there is zero flow in Honomanu stream, an anchoring estuary for the East Maui region serving as habitat for multiple native marine and aquatic species. As a result of the lack of stream water, we have had to rely on alternative streams and spring water sources to feed our wetland taro patches at Honomanu. We currently have ten wetland taro patches open and functioning which produces kalo for the community of East Maui. We go to great lengths conducting 'auwai irrigation ditch construction by hand, often having to conduct hundreds of feet of extra ditch line towards Punalau stream to compensate for the lack of Honomanu stream flow. The lack of Honomanu stream flow is causing major

I do not support Mahi Pono's reliance on East Maui water resources to grow crops that are not nutrient dense foods. Mahi Pono's excessive use of herbicides, pesticides and synthetic fertilizers are not in alignment with Hawaiian land management principles. Due to Mahi Pono's lack of basic sustainable agricultural practices, their fields contribute to perpetual coastal runoff and routine episodes of fugitive dust. There has been no effort towards soil remediation by way of cover cropping, no transition to organic farming, no implementation of ground cover or companion planting and therefore multiple coastlines here on Maui are subjected to the negative impacts of Mahi Pono's farming activities. Furthermore, the residents of Maui are exposed to dust storms that contain respiratory contaminants. Between fugitive dust and pesticide drift, Mahi Pono's farming activities are posing health hazards for our community.

I support transfer of the East Maui water system to the County of Maui East Maui Community Water Authority.

Mahalo,  
Napua Hueu  
[EastMauiFarm.org](http://EastMauiFarm.org)



November 14, 2025

Board of Land and Natural Resources (BLNR)  
State of Hawai'i  
Honolulu, Hawai'i

Re: D-10 Testimony in Opposition to Recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction covering the diversion of public surface water, or set aside via Governor's Executive Order to the County of Maui for the diversion of public surface water.

Me ka ha'aha'a,

Hui Kahuwai **opposes** the recommendation for item D-10.

Hui Kahuwai is community-based nonprofit organization based in North Kona, Hawai'i Island, in the region known as Kekahawai'ole (The land without water). Kahuwai, the wahi pana that is the namesake of our org, can translate to the careful tending of water. This careful tending of water is particularly important in our 'āina which lacks surface water. This gives us a very strong appreciation for sensible and pono management of water.

We have hosted community members from Maui Hikina and had many discussions on the importance of water. Just last month, members of our Hui were able to help with hana in lo'i in Ke'anae. The incredible work of Nā Moku Aupuni o Ko'olau Hui and other Native Hawaiian orgs actively support watershed health by guiding the water from mauka to makai through lo'i. These efforts produce food for our people, but also benefit native species of plants and animals that extend all the way to the nearshore waters of Maui.

Mālama 'Āina efforts of Native Hawaiian org represent the best efforts mitigating the effects of climate change and drought. The board should be doing everything in their power to be supporting those mālama 'āina efforts, not furthering extraction and diversion to exacerbate the effects of climate change and drought.

We ask the board to reject the recommendation of D-10 and instead urge the board to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina to make better decisions that uphold Native Hawaiian values and the public trust made up of biocultural resources that depend on the pono management of wai.

'O mākou nō me ka 'oia'i'o,

Kaikea Nakachi,

Hui Kahuwai Vice President

**From:** [Hui o Nā Wai 'Ehā](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 9:04:03 AM

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Dear Chair Chang and Members of the Land Board,

My name is Hōkūao Pellegrino, Board President of Hui o Nā Wai 'Eha. I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Hōkūao Pellegrino (Board President)

Hui o Nā Wai 'Ehā  
213 West Waikō Road  
Wailuku, Hawai'i 96793  
Huionawai4@gmail.com  
[www.huionawaieha.org](http://www.huionawaieha.org)

**From:** [Thomas Hunt](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on agenda item D-10  
**Date:** Wednesday, November 12, 2025 7:58:30 PM

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Aloha Chair Chang and Members of the Land Board,

My name is Thomas Hunt, I'm a Hawaii resident of the big island and registered voter

In response to agenda item D-10, I urge you to NOT accept the staff recommendation to move forward with giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams

Maui water should remain in Maui Hawai'i hands

The decision to allow a Canadian company, or any out of state entity makes zero sense. Maui residents have long fought for water rights, they don't need any of opposition or outside influence

Please make the right choice for residents and ultimately, your constituents.

Mahalo, Thomas Hunt  
Sent from my iPhone

**From:** [Jana Ireijo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 9:55:05 PM

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Dear Chair Chang and Members of the Land Board,

My name is Jana Ireijo and I am asking you to please not move forward with any process that would give Mahi Pono, also known as PSP Investments, a long term lease for East Maui's streams. I am writing for the following reasons:

1. This goes against the wishes of Maui County voters.

In the 2022 elections, Maui voters created the East Maui Community Water Authority to take on the long term administration of East Maui streams. The Authority and its staff have been preparing for this responsibility with the full support of the county administration. DLNR staff should be focused on helping with a set aside of East Maui's diversion infrastructure to the Authority, not creating another path for a foreign corporation to keep control of Maui's public trust resources.

2. This avoids the urgent responsibilities of your mission.

The Land Board is responsible for upholding the public trust in our natural and cultural resources. There are long standing violations in East Maui's streams that must be addressed before any private lease is even considered. This includes the failure to implement Water Commission stream restoration orders for streams that continue to run dry. It also includes the ongoing loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono and PSP Investments still refuse to line. In addition, the court ordered contested case hearing for the upcoming 2026 revocable permit needs to move forward to address impacts on watershed health, native species, and Hawaiian rights. None of this should be pushed aside in order to meet the wishes of a corporation that wants control of East Maui's streams for the next 30 years.

3. This ignores the reality of worsening drought.

Over the last five years, East Maui and the rest of Hawai'i have experienced a drought that has intensified far more quickly than expected. There is no sign that conditions will stabilize soon. It does not make sense to consider a long term water disposition when we do not know how much water will be available in the next five years, much less thirty. It is especially concerning when the corporation seeking the lease has farm plans that do not reflect the realities of our changing climate.

For these reasons, I ask you to please protect your limited staff time and financial resources and avoid moving forward with a proposal that puts the desires of a foreign corporation above the needs of the public and Native Hawaiian communities. Hawai'i deserves decisions that protect our streams, our democratic processes, and the dignity of our people and environment.

I respectfully ask you to reject the staff proposal for a long term lease to PSP Investments and Mahi Pono. I also ask that you direct your staff to work with the East Maui Community Water Authority, 'Aha Wai o Maui Hikina, to support their administration of East Maui's diversion infrastructure through a set aside or similar solution.

Mahalo nui,

**Jana Ireijo**

Artist & Environmental Storyteller  
Creator of Vanishing Murals with Wildfire Charcoal, Earth & Ocean  
Bridging Art, Ecology & Emerging Tech

[www.vanishingmurals.com](http://www.vanishingmurals.com) | IG: @janaireijo



**From:** [Brenda Jose](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Long term license for water in Maui Hikina  
**Date:** Thursday, November 13, 2025 8:54:25 AM

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**Sample testimony:**

Aloha Chair Chang and members of the Board,

My name is Brenda Kehaulani Sialana Jose and I am from Waiohuli, Kula. I am a homesteader living on 468 Lauie Drive and am humbly asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

O wau iho nō,  
Brenda Kehaulani Sialana Jose

Get [Outlook for iOS](#)

Date: Nov 12, 2025  
Subject Testimony on Agenda Item D-10

Additional request to testify verbally on Zoom Nov 13 2025.

Aloha Chair Case and member of the Board of Land and Natural Resources. My name is Tiana Kaauamo, a multi generation wahine mahi'ai kalo, and descendent of Wailua Nui. My 'Ohana resides in the 'Ahupua'a of Pauwalu, our 'āina mahi'ai is located in Wailua Nui, there our 'ohana has raised and farmed Pulama 'āina kalo. There are were my kupuna once stood in our lo'i, were my mother and I have also stood, and where my keiki now stand. The importance of tradition, legacy, culture, and 'āina continue to thrive because of the kanaka, that have been so blessed to be educated and raised by the finest kupuna that once walked those lands.

These are kupuna that have taught and shared with us some very important knowledge about 'āina. Teachings you don't find all in books, No, but teachings that you learn from observing and working with your hands. Wai, plays such a vital role on our islands, and for us kanaka on East Maui, an even greater importance. Importance, because Wai is our kupuna, it is the giver of life, it is ka'ū, the bosom. We choose to continue our way of life, living to protect our land, protect our resources, protect our rights to be sustainable, protect our traditions, protect our culture, protect our kupuna, and protect the future of our KEIKI. Protect Hawaii and Hawaiian!

I urge you to NOT accept the staff recommendation to move forward with any process that may give Mahi Pono (PSP Investments), a long term lease for the following reasons:

1. It VIOLATES what the people of MAUI have voted for, which is The established East Maui Community Water Authority staff, who have been working hard

to prepare themselves to accept that kuleana, voted by our Maui community and supported by the Maui County Administration. Your assistance should be to East Maui Community Water Authority, and working with our community and 'ohana here, who LIVE here, who CARE about here, and who KNOWS here! We know that it is adamant to restore stream flow, for farmers, for habitats, for aquatics and for the cycle of life.

2. This ignores your duties and mission as the land board, which is to uphold the public trust in our land and natural resources. How can you be contemplating a long lease to a private entity, when there are still violations standing in East Maui streams, that have not been addressed and continue to be suppressed. Some of which include, the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time given to foreign corporations, to control East Maui's streams for the next 5, 15 or 30 years, when so many critical issues in these streams continue to remain unaddressed.

3. Don't be in drought denial. Hawaii has had the worst drought for the last few years, and it is only likely to get worse. With no indication what the future holds, we should not be contemplating a long term disposition of water. We don't know what the drought for Hawaii or East Maui will look like in 5 years, 15 years, or 30 years, to a

cooperation who isn't from here, who has no kupana here, and no connection to the place we call home.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, and dignity. Please **decline** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina.

Mahalo nui,

**Tiana Kaauamo**

**From:** [Pat Kahawaiolaa](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Fwd: OBJECTIONS  
**Date:** Thursday, November 13, 2025 12:44:19 AM

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----- Forwarded message -----

From: **Pat Kahawaiolaa** <[kokua4kupuna2025@gmail.com](mailto:kokua4kupuna2025@gmail.com)>  
Date: Thu, Nov 13, 2025 at 12:36 AM  
Subject: OBJECTIONS  
To: <[hawaiiag@hawaii.gov](mailto:hawaiiag@hawaii.gov)>, <[dlnr.land@hawaii.gov](mailto:dlnr.land@hawaii.gov)>, Watson, Kali  
<[kali.watson@hawaii.gov](mailto:kali.watson@hawaii.gov)>, Mike (Sandy) Kalekini-DHHL Commisioner  
<[mkaleikini@ormat.com](mailto:mkaleikini@ormat.com)>, Sen. Lorraine R. Inouye <[seninouye@capitol.hawaii.gov](mailto:seninouye@capitol.hawaii.gov)>,  
<[reptodd@capitol.hawaii.gov](mailto:reptodd@capitol.hawaii.gov)>, <[repkeohokapuleeloy@capitol.hawaii.gov](mailto:repkeohokapuleeloy@capitol.hawaii.gov)>,  
<[sendecorte@capitol.hawaii.gov](mailto:sendecorte@capitol.hawaii.gov)>, <[SenRichards@capitol.hawaii.gov](mailto:SenRichards@capitol.hawaii.gov)>, Jonathan Likeke  
Scheuer <[jonathan@kahalawaiconsulting.com](mailto:jonathan@kahalawaiconsulting.com)>, <[josh.green@hawaii.gov](mailto:josh.green@hawaii.gov)>, Kimo Kaiini  
Kaloi <[Kaiini\\_Kaloi@ios.doi.gov](mailto:Kaiini_Kaloi@ios.doi.gov)>, Oshiro Sukanuma, Lisa C  
<[lisa\\_oshiro\\_sukanuma@ios.doi.gov](mailto:lisa_oshiro_sukanuma@ios.doi.gov)>  
CC: Tita Ani <[awilipond@yahoo.com](mailto:awilipond@yahoo.com)>, Maile Luuwai <[maileluuwai@gmail.com](mailto:maileluuwai@gmail.com)>, Kau'ilani  
Alameida <[kumukauilani@gmail.com](mailto:kumukauilani@gmail.com)>, Doreen Kodani <[dkodani@gmail.com](mailto:dkodani@gmail.com)>, Duncan  
Kaohu Seto <[dnknz2@gmail.com](mailto:dnknz2@gmail.com)>, <[hoku.fernandez@gmail.com](mailto:hoku.fernandez@gmail.com)>, Lauae Kekahuna  
<[Kekahunalauae@gmail.com](mailto:Kekahunalauae@gmail.com)>, Jeffrey Keko <[j\\_keko1956@hotmail.com](mailto:j_keko1956@hotmail.com)>, Jasmine Branco  
<[jasmineb@oha.org](mailto:jasmineb@oha.org)>, <[Micah.Alameda@hawaiicounty.gov](mailto:Micah.Alameda@hawaiicounty.gov)>, Kainoa Lei MacDonald  
<[808divergentgroup@gmail.com](mailto:808divergentgroup@gmail.com)>, Luana Kawelu <[luana@merriemonarchfestival.org](mailto:luana@merriemonarchfestival.org)>,  
Luahiwa Namahoe <[luadiva@gmail.com](mailto:luadiva@gmail.com)>, Laverne Lucero <[lucrolaverne@gmail.com](mailto:lucrolaverne@gmail.com)>,  
Rose Hatori <[rhatori@hawaii.edu](mailto:rhatori@hawaii.edu)>

Aloha Chair Chang and members of the Board,

My name is Patrick L. Kahawaiolaa and I am from the Ainahoopulapula ma Keaukaha ame Panaewa. I am a native Hawaiian, as defined pursuant to the HHCA, 1920, as amended July 9, 1921 (c42, 42 stat. 108), 67th Congress...

I am asking this Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I have three (3) of my children on the wait list of the DHHL for over 30 years and as beneficiaries of these 203,000 acres of Trust Lands...whenever or whatever actions by the State government against any statute or provision of the HHCA, 1920...

affects all of our Trust Lands Statewide...

Therefore we must OBJECT to, and **REJECT the staff recommendation** to move forward with the process needed to issue a long-term water lease to Mahi Pono. ...as We are directly impacted by decisions regarding East Maui water and the East Maui Irrigation System.

Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,  
Pat Kahawaiolaa,  
Advocate and interim Iku ha'i for Komike O Kūpuna Ainahoopulapula (KOKA)

**From:** [Carol Lee Kamekona](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] East Maui  
**Date:** Thursday, November 13, 2025 4:56:44 AM

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Aloha no!

My name is Carol Lee Kamekona and I live in Kahului, Maui.

I am a Hawaiian Homes

Beneficiary on the waitlist of the Hawaiian Homestead Act of 1920. I am Kanaka Maoli. I am a kuleana land owner. Therefore, my right to our wai is first and foremost to any corporation or off island investor.

I am here to say I REJECT any proposal to lease our wai to any individual person, corporation or entity that does not have the inherent right nor the blood, sweat and tears of our 'āina.

Ko pae 'āina we are experiencing a major drought. Especially on Maui where we have been subjected to many fires. Our wai is precious! It does not belong nor should it be given to a foreign entity that doesn't cherish or understand the interconnectedness of wai and āina.

I say again....DO NOT ALLOW our wai to be wasted frivolously in the hands of a foreign entity!

Mahalo!

Carol Lee Kamekona

Sent from my iPhone

**From:** [Noelani Kanekoa](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10, "Item D-10, Recommendation to enter into a Contested Case Hearing for the disposition of water license to the East Maui Irrigation System"  
**Date:** Thursday, November 13, 2025 7:26:15 AM

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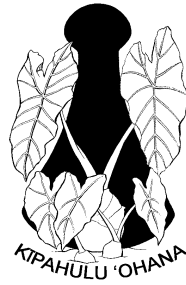
Aloha Chair Chang and members of the Board,

My name is Noelani Kanekoa and I was born and raised in Honokohau Valley Maui. I am a homestead owner in Pu'uhona Homestead Waikapu.. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation. These water issues are constantly being decided behind the backs of our people to benefit developers and not the Native Hawaiian Beneficiaries. My family and I "Reject" this recommendation.**

Mahalo,  
Noelani Kanekoa





‘Olepau, ‘Ikuwā - 13 Nowemapa 2025,

Board of Land & Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

Subject: Kīpahulu ‘Ōhana, Inc Testimony - Item D-10

Aloha Chair Chang and Members of the Board,

On behalf of Kīpahulu ‘Ōhana, Inc., I submit testimony on Item D-10 in strong opposition to initiating a contested case hearing and in opposition to any long-term water license or set-aside that continues the diversion of East Maui’s public trust waters under corporate control.

Maui’s people already made a clear decision—honor it. In 2022, Maui County voters approved the establishment of the East Maui Community Water Authority (EMCWA). This was a direct mandate from our communities to end more than a century of corporate exploitation of East Maui’s streams and to transition water management to a public, community-based authority.

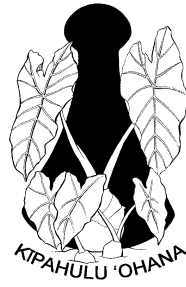
To now propose a contested case hearing, a long-term license, or any other mechanism that delays this transition only serves to protect corporate interests—primarily Mahi Pono, whose water demands and waste practices continue to harm both our ecosystems and our communities. Such delay tactics undermine democracy, disregard Maui voters, and prolong the very harms EMCWA was created to stop.

### **KALO FARMING IMPACTS: STREAM DIVERSION IS CULTURAL AND FOOD SYSTEM HARM**

For generations, East Maui streams nourished extensive lo‘i kalo systems, feeding families and sustaining the cultural lifeways of Maui Hikina. These lo‘i depend on continuous, clean, flowing water—not intermittent trickles, not diverted runoff, and not dry streambeds.

When diversions leave streams without flow:

- Lo‘i dry out, crack, and become unusable
- Kalo becomes weak, stunted, and vulnerable to disease
- ‘Ōhana lose a direct food source



- Cultural practitioners cannot fulfill their kuleana
- Community distributions of poi and kalo decline
- The intergenerational transfer of traditional knowledge is disrupted

Kalo farming isn't simply agriculture—it is an identity, a lineage, a spiritual practice, and one of the strongest expressions of East Maui's cultural continuity.

Meanwhile, Mahi Pono continues to waste millions of gallons daily through leaky, unlined reservoirs, even during an unprecedented drought. This is the opposite of stewardship, and it cannot be justified while kalo farmers struggle for basic stream flow.

### **Impacts to Nearshore Fisheries: Dewatered Streams Mean Dewatered Reefs**

Restoring stream flow is not just a mauka issue—it is a makai issue.

East Maui fisheries—particularly subsistence species central to our cultural practices and diet—depend on healthy stream flow to maintain:

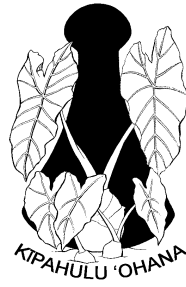
- Freshwater inputs that cool and oxygenate nearshore waters
- Estuarine mixing that supports juvenile fish recruitment
- Sediment flushing that prevents smothering of coral and limu
- Habitat conditions for native species like 'o'opu, ōpae, and hīhīwai

When streams are dry or diminished:

- Juvenile 'o'opu cannot migrate
- 'Ōpae populations collapse
- Hīhīwai beds shrink
- Estuaries stagnate
- Coral reefs suffer from high temperatures and poor water quality
- Nearshore fisheries decline

These are not hypothetical impacts—these are documented realities that East Maui communities experience year after year.

The health of our fisheries is inseparable from the health of our streams. A dewatered stream is a dewatered fishery. And a dewatered fishery is a direct threat to subsistence families and cultural practices.



## **Current Management Violates the Public Trust**

The public trust doctrine requires the State to prioritize:

- Native Hawaiian rights
- Kalo cultivation and traditional food systems
- Stream health
- Native species
- Community subsistence needs

**before any private or commercial use.**

Yet Mahi Pono's operations continue to waste water and demand quantities that are misaligned with climate reality, community needs, and ecological limits. Continuing or expanding this system violates constitutional duties and undermines the very purpose of the public trust.

### **We urge the board:**

1. Do NOT initiate a contested case hearing.

This will only drag the process out and delay the community transition that voters have already chosen.

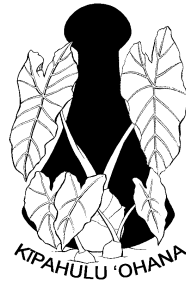
2. Reject any long-term lease, license, set-aside, or auction for Mahi Pono or any corporate successor.

Continuing corporate control perpetuates harm to streams, kalo farmers, fisheries, and cultural practices.

3. Follow the will of Maui's people and transition authority to the East Maui Community Water Authority.

EMCWA is the entity designed for accountable, community-centered, public management of East Maui's waters.

East Maui's water is not a commodity for private extraction—it is a public trust resource that sustains our lo'i, our fisheries, our ecosystems, and our identity as kānaka and as a community.



Kalo cannot grow without flowing water.  
'O'opu cannot return without flowing water.  
Native ecosystems cannot recover without flowing water.  
And our people cannot thrive without flowing water.

I urge the BLNR to stand with East Maui communities, uphold the public trust, and restore East Maui's waters to community hands through EMCWA—without further delay and without a contested case hearing.

Mahalo for the opportunity to provide written testimony.

*Cheyenne K Lind*

Cheyenne Kamalei Lind, Executive Director  
Kīpahulu 'Ōhana, Inc.

**From:** [Alesa](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony re: East Maui stream water to Pomona Farming LLC and PSP Investments, d.b.a. Mahi Pono  
**Date:** Thursday, November 13, 2025 7:35:45 AM

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My name is Ainalani and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian

communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Alesa Ainalani Kneubuhl

Mahalo ~ Alesa Ainalani Kneubuhl

**From:** [Kupuna Moopuna](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Kupuna Moopuna](#)  
**Subject:** [EXTERNAL] November 13, 2025 - Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 7:29:22 AM

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## **Kūpuna for the Mo'opuna**

*committed to the well-being of Hawai'i for the next generations to come*

[kupuna4moopuna@gmail.com](mailto:kupuna4moopuna@gmail.com)

Meeting of the Board of Land and Natural Resources

DATE: November 13, 2025

TIME: 9:00 a.m.

PLACE: DLNR Boardroom, Kalanimoku Bldg

### **“Testimony on Agenda Item D-10”**

**REJECT the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams,**

Aloha,

We, Kūpuna for the Mo'opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana'ewa, Hawai'i, urge the Board of Land and Natural Resources to **reject** the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

- 1. This is in direct contrast to the voice of the people of Maui County.** In 2022, Maui people voted in favor of its community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. Please honor the voice of the people.
- 2. This ignores pressing matters central to DLNR's mission.** Please do not spend time or energy trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years when so many mission-critical issues in these streams continue to remain unaddressed.
- 3. This perpetuates drought denial.** East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To

contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and **please instead** ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo,  
~Kūpuna for the Mo'opuna  
Pana'ewa, Hawai'i





## **Testimony on Agenda Item D-10**

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

We submit this testimony on behalf of Lahaina Strong, a grassroots movement born from the ashes of the Lahaina Fire. Our mission is to protect our people, 'āina, and future by ensuring that decisions about our island's land and water serve the community, not corporate interests.

We stand in full solidarity with the communities of East Maui and urge you to reject the staff recommendation to move forward with any process that would grant Mahi Pono, also known as PSP Investments, a long-term lease to divert East Maui's streams.

What happens in East Maui will set a precedent for the entire state. It will signal whether Hawai'i continues down the path of corporate water control or finally honors community stewardship and the public trust.

### **1. This lease undermines the will of Maui's voters.**

In 2022, the people of Maui County overwhelmingly supported the creation of the East Maui Community Water Authority, a body rooted in transparency, accountability, and community governance. This wasn't a symbolic move, it was a clear mandate from the people to shift water management away from corporate interests and toward public benefit.

The Authority has been diligently preparing to assume that kuleana, backed by the County administration and years of community effort. DLNR staff should be working to support a set-aside of East Maui's diversion infrastructure to the Authority and not creating a pathway for a foreign investment firm to maintain its grip on public trust resources.

### **2. Serious public trust violations remain unresolved.**

East Maui streams continue to suffer from ongoing harm that has not been fully addressed. Many streams remain under-restored, despite Commission orders. Mahi Pono's unlined reservoirs still leak millions of gallons of water each day! That's water that could be nourishing native ecosystems and lo'i kalo downstream.

The court-ordered contested case hearing on Mahi Pono's upcoming 2026 permit must occur before any long-term lease is even discussed. To move forward now would bypass due process, environmental justice, and the very mission of DLNR as guardian of Hawai'i's natural and cultural resources.

### **3. Climate realities demand restraint and foresight.**

Across Maui, we've seen how water scarcity and land mismanagement amplify wildfire risks and ecological collapse. East Maui has faced severe drought, worsened by diversions that strip life from its streams and forests. To commit 30 years of water to an industrial-scale agricultural venture, without fully understanding how climate change will affect stream flows, is reckless and out of step with Hawai'i's climate adaptation goals.

We want this board to know: our communities are informed, engaged, and watching.

We understand the layers of this issue, the political pressure, the corporate lobbying, and the historical injustices that have kept Native Hawaiian and local families from their own water. We refuse to see history repeat itself under a different corporate name.

Lahaina knows what happens when profit and control outweigh protection and care. The same systems that allowed our land to burn are the same systems that continue to drain the wai from East Maui's streams.

We urge you to stand with East Maui, uphold the public trust, and honor the will of Maui's people.

Reject the staff proposal to advance a long-term lease to PSP Investments/Mahi Pono.

Instead, direct DLNR staff to work in partnership with 'Aha Wai o Maui Hikina (East Maui Community Water Authority) to build a path for true local stewardship and long-term resilience.

Mahalo for allowing Lahaina Strong to testify on this critical issue.

Mahalo,  
Lahaina Strong

**From:** [Lu Ann Mahiki Lankford-Faborito](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10  
**Date:** Thursday, November 13, 2025 9:05:06 AM

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Ho'olehua Homesteader's Association is asking the board to reject this staff recommendation.

Lu Ann Lankford-Faborito  
Treasurer

**From:** [Jessica Lebel-Côté](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 9:01:11 PM

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Dear Chair Chang and Members of the Land Board,

My name is Jessica Lebel-Cote and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Jessica Lebel-Cote

Envoyé de mon iPhone

**From:** [Kaelyn Leval](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 9:01:21 AM

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Dear Chair Chang and Members of the Board of Land and Natural Resources,

Aloha, my name is Kaelyn Leval and I urge you, please, DO NOT accept the staff recommendation to move forward with any process that considers giving Mahi Pono (or any subsidiary of PSP Investments) a long-term lease of East Maui's streams and water resources. Please consider the following reasons:

First, this would violate the express will of the voters of Maui County. In 2022 we voted to establish a community-based water authority for East Maui. The East Maui Community Water Authority (EMCWA) was created by the people of Maui County to take on the long-term administration of East Maui's streams. The staff of EMCWA has been diligently preparing to take on this responsibility with the full support of our county government. The Department of Land and Natural Resources should work in support of this community administration of our water instead of wasting state resources entertaining any outside interests who seek control of Maui's public trust resources.

Second, this sets a dangerous precedent for what corporations can "get away with" with BLNR. Mahi Pono/PSP Investments have already proven themselves to be irresponsible and careless stewards of not only the lands they own but also the resources they desire. Since Mahi Pono gained 100% ownership of East Maui Irrigation they have failed to act responsibly in regard to water resources. This past summer Maui experienced one of the worst droughts in living memory, during which, Mahi Pono continued to water their crops until the irrigation ditches ran dry. Then, they turned to pumping groundwater via wells, taking around 21 million gallons a day over sustainable yield from the Paia and 'Iao aquifers. Within days our largest river, Wailuku ('Iao) ran dry and stayed that way for weeks. Personal observations of water from the Paia aquifer shows signs of saltwater intrusion, which will permanently contaminate this water source. Considering Mahi Pono/PSP Investments' irresponsible actions during this horrible drought, they cannot be trusted with a long-term lease of our public trust resources.

Please do not waste any more of your valuable time and staff resources on this misguided attempt to appease this corporation's interests over that of the people of Maui. For the sake of our island's future, please REJECT the staff proposal to move forward with the process of issuing a long term lease to PSP Investments/Mahi Pono. Instead work with EMCWA and the people of Maui to create a sustainable, equitable water future for our island.

Mahalo,  
Kaelyn Leval

Generational Maui Resident

**From:** [Steph Littlefield](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for 11/14 BLNR meeting  
**Date:** Thursday, November 13, 2025 8:56:46 AM

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Dear Chair Chang and Members of the Land Board,

My name is Steph Littlefield. I am a kuleana holder of lo'i kalo in Honomanū ahupua'a (license area). I urge you not to accept the staff recommendation to pursue a long-term lease of East Maui's streams to Mahi Pono/PSP Investments for these key reasons:

1. It goes against the will of Maui voters. In 2022, voters created the East Maui Community Water Authority to manage these streams long term. The Authority has been preparing for this kuleana with full county support. DLNR staff should be assisting this transition.. not creating a pathway for continued corporate control of our public trust resources!
2. Critical public trust issues remain unresolved. Stream restoration orders remain unimplemented, millions of gallons are still lost daily through unlined reservoirs, and a contested case hearing is required before addressing the 2026 revocable permit. It is inappropriate to consider a 30-year lease while these violations persist.
3. It ignores the accelerating drought crisis. East Maui and the state are experiencing rapidly worsening drought conditions. Committing to a long term water disposition, especially with a corporation whose farming plans do not reflect climate reality.. is unsafe and irresponsible!

Please **don't** spend limited resources trying to satisfy a foreign corporation at the expense of the public, Native Hawaiian communities, and the integrity of our 'āina. Instead, direct staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina on a set-aside or similar disposition that honors voter intent and the public trust.

Mahalo,

Steph Littlefield

Sent from my iPhone



**From:** [Jess Kēhau Lucas](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 6:23:28 PM

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Dear Chair Chang and Members of the Land Board,

My name is Kēhau Lucas and I strongly urge you to **reject** any process granting Mahi Pono (PSP Investments) a long-term lease for East Maui’s streams.

**1. Against the will of Maui voters**

In 2022, Maui County voters created the East Maui Community Water Authority (‘Aha Wai o Maui Hikina) to manage these streams locally. Moving toward a corporate lease directly ignores this mandate for community self-determination and stewardship. As a part of a government board, you are entrusted with the kuleana of accurately representing the people of Maui and the people of Maui have spoken and continue to do so.

**2. Unresolved public trust violations**

Decades of diversions have drained East Maui streams, harming kalo farmers, native stream life, and Hawaiian cultural practices. Millions of gallons are still lost daily through unlined ditches and reservoirs. ([USGS 2012]) These harms must be fully remedied and streamflow orders enforced before any lease discussion. By rejecting any process granting Mahi Pono a long term lease for East Maui wai, it is a small step in rebuilding trust between community and government.

**3. Climate and drought reality**

Maui is facing severe, prolonged drought. ([Maui Now 2025]) Granting a 30-year lease under these uncertain conditions is reckless and threatens watershed health and local water security. People over profits should always be the government’s priority.

**4. A better path forward**

The Land Board should direct staff to partner with the East Maui Community Water Authority and County of Maui to set aside and restore East Maui’s water systems under public and Native Hawaiian stewardship—consistent with Hawai‘i’s constitutional public trust duty.

Please **reject the staff recommendation** for a long-term lease to Mahi Pono/PSP Investments, and instead support true community management of Maui’s public trust waters.

Mahalo nui loa,



**From:** [paul luuwai](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] East maui water shed long term license  
**Date:** Thursday, November 13, 2025 7:21:52 AM

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Aloha Chair Chang and members of the Board,

My name is **Paul Ka'uhane Lu'uwai**, and I am from **Maui**. I am a **Department of Hawaiian Home Lands (DHHL) beneficiary** and have proudly served as a **teacher and coach with the Hawaiian Canoe Club for over 46 years**. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the **Hawaiian Homes Commission Act**, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Water is not only vital for our homestead lands but is also the foundation of our culture, our food systems, and our identity as kānaka maoli.

**Legally**, DHHL's most recent **water reservation request** must be granted **before** any long-term water lease is issued. Proceeding otherwise would violate the trust obligations owed to DHHL beneficiaries and further delay our ability to build sustainable homestead communities.

Until DHHL's reservation is granted, I respectfully ask the Board to **reject the staff's recommendation** and uphold the State's duty to protect Native Hawaiian rights and resources for present and future generations.

Mahalo for the opportunity to provide testimony.

**Paul Ka'uhane Lu'uwai**  
DHHL Beneficiary  
Educator & Coach, Hawaiian Canoe Club



*Dedicated to Ending the Hawaiian Home Lands Waiting List*

The Association of Hawaiians for Homestead Lands (AHHL) is a national waitlist governed association founded in 2009, a member of the Sovereign Council of Hawaiian Homestead Associations (SCHHA). The AHHL is a Homestead Beneficiary Association (HBA) registered with the U.S. Department of Interior, meeting the federal definition under 43 CFR Part 48.6. Dedicated to *Ending the Hawaiian Home Land Waitlist* by pursuing reforms and delivering services that create success for native Hawaiians to homestead and build mercantile businesses.

## TESTIMONY IN OPPOSITION TO CONTESTED CASE HEARING AND LONG-TERM WATER LICENSE FOR EAST MAUI IRRIGATION SYSTEM

**To:** Board of Land and Natural Resources (BLNR)

**Date:** February 25, 2025

**Re:** Agenda Item D-10 – Recommendation for Contested Case Hearing on East Maui Water Diversions

**Aloha Chair Chang and Members of the Board,**

My name is **Kainoa MacDonald**, and I serve as Secretary/Director for the **Association of Hawaiians for Homestead Lands (AHHL)**. Founded in 2008, AHHL is a national **Homestead Beneficiary Association (HBA)** registered under **43 CFR §48.6** with the U.S. Department of the Interior. Our mission is to end the Hawaiian Home Lands Waiting List—now more than **29,000 applicants**—by ensuring the rights of beneficiaries under the **Hawaiian Homes Commission Act of 1920 (HHCA)** are protected.

We respectfully submit this testimony **in opposition** to the staff's recommendation to proceed with a **Contested Case Hearing (CCH)** and any long-term disposition of water licenses for the **East Maui Irrigation (EMI)** system.

### **AHHL's Position**

Under **HRS §174C-3** and **HHCA §221**, the State must prioritize the water needs of **traditional farmers, kuleana landowners, and HHCA beneficiaries** before private or commercial users. **With the rising demand for housing to address the Hawaiian Home Lands waiting list—and the thousands of beneficiaries awarded paper leases in 2024 and 2025—adequate water access is urgently needed to make these homestead communities viable.** Until DHHL's reservation is secured and the State demonstrates compliance with these legal requirements, we urge BLNR to **reject the staff recommendation** to enter into a contested case or issue any long-term license.

The **Association of Hawaiians for Homestead Lands** continues to *kako'o* **Nā Moku Aupuni o Ko'olau Hui** in defending stream flows and public trust resources in East Maui.

Furthermore filed a petition in February 2025 in full support for **Dr. Jonathan Likeke Scheuer's** appointment to the **East Maui Regional Community Board** for his long-standing expertise and advocacy for HHCA water rights.

### **Historical and Legal Struggles**

For decades, the people of East Maui have struggled to restore diverted streams essential to subsistence, farming, and native ecosystems. In 2021, the **Hawai'i Environmental Court** reduced water diversions from 45 to 20 million gallons per day and ordered stream restoration and attorney's fees. That decision was appealed, and the **Hawai'i Supreme Court** is now reviewing whether the Environmental Court's or the Intermediate Court of Appeals' ruling will stand.

Despite these unresolved legal questions, **BLNR has continued renewing revocable permits** without first completing court-ordered stream restorations or securing the **Department of Hawaiian Home Lands (DHHL) water reservation**—both required under state law and the public trust doctrine. Proceeding now would disregard these mandates and perpetuate inequities that Native Hawaiian beneficiaries continue to face.

### **Conclusion**

Water is a sacred trust, not a commodity. The State's duty is to protect these life-giving resources for Native Hawaiian people first, as required by the HHCA and Hawai'i's Water Code. We respectfully ask the Board to **uphold that trust responsibility** by denying the staff's recommendation until DHHL's legal water reservation is granted and full compliance with restoration orders is achieved.

**Me Kealoha Nui,**

***Kainoa Lei MacDonald***

**Kainoa Lei MacDonald**

Secretary/Director

**Association of Hawaiians for Homestead Lands (AHHL)**

Email: [ahhlwaitlist@gmail.com](mailto:ahhlwaitlist@gmail.com)

**From:** [Mia Sado-Magbual](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on agenda item D-10  
**Date:** Thursday, November 13, 2025 8:52:59 AM

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I, Mia Kaulana Sado-Magbual, Native Hawaiian and lineal descendant of East Maui, oppose the continued diversion of surface water from Ko'olau Water Reserve. Restore the stream flow and let locals manage the water.

I urge you to NOT accept the staff recommendation to move forward with any process that considers giving Mahi

Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams.

Mahalo for your time,

Sent from Mia Magbual

To the members of the State Water Commission,

For years those opposing a long-term water license (the “License”) for East Maui Water expressed extreme displeasure at the State issuing – and renewing – short-term annual permits. Indeed, they even filed lawsuits to force a long-term disposition of water, and to do away with short-term permits. It has been clearly established that water is the property of the people who live in these Islands, not just a select group, but all people who live here.

As mayor of Maui County for 3 terms, I have fought to get water to all the people in a way that allows for the best benefit for all. I requested the designation of surface and subsurface water so that we could better understand who and how water was being used. I also generally support the County acquiring all water resources. However, the County Council and the environmental groups have thus far been unwilling to acquire even the water systems that have been offered to the County (e.g. the Wailuku Water Company offer to the County for the Iao watershed and delivery system, and the County’s non-acquisition of the Hana water and delivery system). While there has been much discussion of purchasing the East Maui Irrigation and collective system, no allocation of funds currently exists. Even when funds were allocated to purchase Wailuku Water Company’s system and to protect the approximately 1,800-acre watershed, there was no political or financial will to actually go through with the acquisition.

The County Water Committees cannot demonstrate the capability of protecting the watershed with adequate manpower or finances. Until the County is prepared and capable of handling the responsibility of, at minimum, financing the purchase of the EMI system, it is only logical that a company like Mahi Pono, who is currently financing most of the upkeep of the system for the benefit of all users, be allowed to have the long-term License to the water system as no one else has a system to replace the historic EMI ditches.

Additionally, the County cannot afford another major debt when there are so many other pressing community needs. Basic issues like living wages, the lack of affordable and workforce housing, sea level rise, and the adequacy of healthcare options, remain unaddressed. Mahi Pono should be allowed to continue its ownership and operation of the EMI system until the County can address its own immediate needs.

Remember, water is for all, not only those living along the streams in the district. Taro, while important, still comprises less than 0.01% of all food production needed to sustain our population. All other food and water needs must be given serious

consideration if we want to fulfill our legal obligation to care for all needs. Remember, the vast majority of all nationalities and ecosystems live on the rest of Maui, and all need water resources. A long-term License should be mandated.

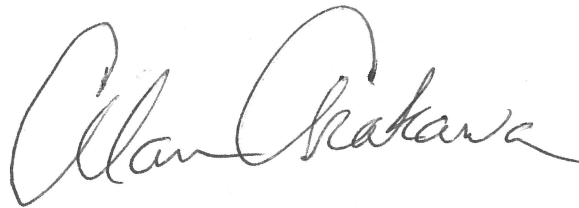
It has been repeatedly emphasized that we need more agriculture on Maui and we need to grow the food that we currently import. We need to plant trees which will provide all of their benefits for our environment such as improving our air quality by absorbing carbon dioxide and other pollutants while releasing oxygen, preventing soil erosion, helping to cool the air, etc.

Mahi Pono, and the remainder of our small agriculture industry, are the largest protectors of our environment.

Please support the "greening" of thousands of acres of land, which they have planted with over a million fruit trees and please support all of the farmers that they lease farmland to. Agricultural crops need water to survive and to continue to provide the environmental and economic benefits to our community.

It's not just about water, it's how we use this resource to care for our entire ecosystem and the people who live here.

Sincerely,

A handwritten signature in black ink, reading "Alan Arakawa". The signature is fluid and cursive, with the first name "Alan" and last name "Arakawa" clearly distinguishable.

Alan Arakawa  
3-term Former Mayor of Maui County

**From:** [kanoelehua](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10, Recommendation to enter into a Contested Case Hearing for the disposition of water license to the East Maui Irrigation System  
**Date:** Thursday, November 13, 2025 9:02:18 AM

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**Aloha Chair Chang and Members of the Board,**

My name is Kanoë Merino, and I am from Hāna, Maui. I am a beneficiary of the Keokea Homestead Farm Lots Subdivision. I respectfully urge the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing regarding the disposition of a water license for the East Maui Irrigation System.

As a beneficiary under the Hawaiian Homes Commission Act, I am directly affected by decisions concerning East Maui water and the East Maui Irrigation System. By law, the Department of Hawaiian Home Lands' (DHHL) most recent water reservation request must be fulfilled **before** any long-term water lease is issued. Therefore, until DHHL's reservation is granted, I ask that the Board reject the staff's recommendation.

**Mahalo,**  
Kanoë Merino



**From:** [Leila Morrison](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 9:22:28 PM

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Dear Chair Chang and Members of the Land Board,

My name is Leila Morrison and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority – not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for

streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai‘i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to

PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Leila Morrison

**From:** [Kayalani Mullen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony  
**Date:** Thursday, November 13, 2025 9:18:27 AM

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**Dear Chair Chang and Members of the Land Board,**

**My name is Kayalani Mullen and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:**

**1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority – not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.**

**2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions.**

**There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.**

**3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai‘i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.**

**Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity.**

**Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.**

**Mahalo nui,**

Kayalani Mullen

**From:** [Robin Newhouse](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [robin.newhouse](#)  
**Subject:** [EXTERNAL] Testimony-BLNR Item D-10  
**Date:** Thursday, November 13, 2025 3:11:24 AM

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Aloha Chair Chang and members of the Board,

My name is Robin Pikake Newhouse and I am from the Island of Maui born and raised. I am a homesteader living in the Keokea Homestead Farm Lots Subdivision. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please reject **the staff's recommendation**.

Mahalo,  
Robin Pikake Newhouse

[Sent from Yahoo Mail for iPhone](#)

**From:** [kapeka29@yahoo.com](mailto:kapeka29@yahoo.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 5:53:44 AM

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Dear Chair Chang and Members of the Land Board,

My name is Chasity Mary Kapeka Oliveira and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

I grew up in the ahupua'a of Nahiku, Maui but currently live next to Kawaipapa Stream. My family is Ka'auamo from Wailuanui Keanae and have been advocating for many years for

water rights as native kanaka Hawaiian for many, many years because they are active farmers.

Mahalo nui,

Chasity MK Oliveira  
4484 Hana Hwy  
Hana, HI 96713

[Sent from Yahoo Mail for iPhone](#)



**From:** [Kamaile Pahukoa](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:44:40 AM

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Dear Chair Chang and Members of the Land Board,

My name is Kamaileu‘ilani Pahukoa and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai‘i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo,

Kamaileu‘ilani Pahukoa

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**Mahalo,  
Kamaile Pahukoa**



**THE KOPE TRUCK**

email: [kamaileuilani@gmail.com](mailto:kamaileuilani@gmail.com)

cell: 808-281-7025

**From:** [Lauren Kang](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Item D-10 | Opposition Testimony  
**Date:** Thursday, November 13, 2025 8:04:42 AM

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Dear Chair Chang and Members of the Land Board,

My name is Lauren Palakiko and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move

forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo,

Lauren Palakiko

**From:** [Kehaulani Marciel](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR Item D-10  
**Date:** Thursday, November 13, 2025 7:54:59 AM

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Aloha Chair Chang and members of the Board,

My name is Kehaulani Palmerton and I am from Maui. I am a homesteader living in Waiohuli, Kula. I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,

Kehaulani Palmerton

[Sent from Yahoo Mail for iPhone](#)

**From:** [Kahakuhailoa Poepoe](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] ATTN: Chair Chang and Board Members of the BLNR; TESTIMONY IN OPPOSITION OF AGENDA ITEM D-10  
**Date:** Thursday, November 13, 2025 9:13:35 AM

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E ka Luna Ho‘omalua Dawn Chang, a pēlā pū nā lālā ‘ē a‘e o ka Papa Kumuwaiwai ‘Āina o Hawai‘i nei, ke aloha pumehana iā ‘oukou pākahi a pau.

My name is Kahakuhailoa Poepoe; and I am testifying today to urge you to DENY Staff’s request for a contested case hearing of Item D-10; regarding a process that will give Mahi Pono AKA PSP Investments a long-term lease for East Maui’s surface water.

As a descendant of kūpuna from East Maui in Kaupō and Hāna, I would like to bring an ‘ōlelo no‘eau forward, which is, “‘O Hāna, mai Ko‘olau a Kaupō,” connecting the four moku that make up the Hāna district. This connects me, as a lineal descendant of ali‘i from Kaupō, to Ko‘olau’s taro farmers, who will be detrimentally impacted by Mahi Pono acquiring these permits.

1. Mahi Pono is a foreign entity based in Canada, perpetuating the same colonial behavior as was practiced by Alexander and Baldwin for over a hundred years, sucking water out of East Maui’s streams and taking it to Central Maui for agriculture.
2. In 2022, Maui County’s constituents voted for East Maui’s surface water to be COMMUNITY-MANAGED, establishing the ‘Aha Wai o Maui Hikina. The DLNR should be working with the ‘Aha Wai o Maui Hikina on setting aside current diversion infrastructure, rather than allowing another corporate foreign entity to have complete control and access over the people of Hawaii’s public trust resources.
3. Instream Flow Standards have not been met and continue to not be enforced, detrimentally impacting the wetland taro farming communities from Honomanū to Wailua Iki downstream.
4. I urge you to uphold the BLNR’s mission in protecting our public trust resources and allowing the water in our East Maui streams to flow

Mahalo nui to you folks for taking the time to read and hear testimony, I have full faith that the Board will work in the best interest of Hawaii’s people.

Me ka leo ha‘aha‘a, na Kahaku

From: [Roran Mullen](#)  
To: [DLNR.BLNR.Testimony](#)  
Date: Thursday, November 13, 2025 9:18:42 AM

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**Dear Chair Chang and Members of the Land Board,**

**My name is Roran Mullen and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:**

**1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.**

**2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions.**

**There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.**

**3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai‘i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.**

**Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity.**

**Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.**

**Mahalo nui,**

**Roran Mullen**





**HOUSE OF REPRESENTATIVES**

*Hale o nā Luna Makaʻāina*

STATE OF HAWAII

STATE CAPITOL

415 SOUTH BERETANIA STREET

HONOLULU, HAWAII 96813

November 13, 2025

Board of Land and Natural Resources  
Chairperson Dawn Chang

**RE: Agenda Item D-10** - Recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction covering the diversion of public surface water (“proposed License” or “License”), or set aside via Governor’s Executive Order to the County of Maui for the diversion of public surface water (“proposed set aside” or “set aside”) from Koolau Forest Reserve, Island of Maui, Hawai‘i; Tax Map Keys: (2) 1-1-001:044 and 050, 1-1-002:002 (por.), 1-2-004:005 & 007, 2-9-014:001, 005, 011, 012 & 017.

Aloha Chair Chang and Board Members,

As the State House Representative for District 13, which includes East Maui, I respectfully urge the Board to **reject any proposal advancing a long-term lease of the EMI system to a private corporation** and instead **direct staff to work in partnership with the East Maui Water Authority/‘Aha Wai o Maui Hikina** to establish community-based management of East Maui’s diversion infrastructure through a set-aside or similar public arrangement.

This position is aligned with the expressed will of the Maui County electorate, who in 2022 voted to establish the **East Maui Water Authority (EMWA)** — a community-based entity within the County created to assume the kuleana of managing the East Maui Irrigation (EMI) system. This action represented a decisive step toward bringing the stewardship of these critical water resources **out of private, corporate control and back into the hands of the public**.

Since its establishment, the EMWA has made meaningful progress toward fulfilling its purpose, consistently centering both the community and the health of the resource itself. The Authority’s efforts reflect the kind of responsible, locally grounded water management that aligns with our constitutional and ethical obligations under the public trust doctrine.

This is not about denying water to any one user in particular. It is about correcting the legacy of plantation-era, extractive practices that treated our streams and watersheds as limitless resources to be diverted for private profit. We now understand — and live with — the reality of water scarcity and the fragility of our ecosystems. Moving forward, we must make decisions that reflect this knowledge. When it comes to water the public interest — the health of our

Representative Mahina Poepoe  
415 S. Beretania Street, Room 331  
Honolulu, HI 96813  
(808) 586-6790 [reppoepoe@capitol.hawaii.gov](mailto:reppoepoe@capitol.hawaii.gov)

environment, our communities, and our future generations — must always come before private corporate interests.

Again, I strongly urge the Board to reject any further consideration of a long-term lease to a private corporation and instead direct staff to collaborate with the East Maui Community Water Authority. Supporting this transition to county and community governance will ensure that management of East Maui's streams is guided by principles of sustainability, equity, and accountability to the people of Hawai'i.

Mahalo for your time and for your commitment to upholding the public trust for our future generations.

With aloha,

A handwritten signature in dark ink, appearing to read 'M. Poepoe', with a long, sweeping horizontal stroke extending to the right.

**Rep. Mahina Poepoe**

Hawai'i State House of Representatives, District 13

*Portion of Kahului, Pā'ia, Ha'ikū, East Maui, Molokai, Lāna'i, Kaho'olawe, Molokini*

**From:** [Terani Richmond](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on agenda item d-10  
**Date:** Thursday, November 13, 2025 7:29:42 AM

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Dear Chair Chang and Members of the Land Board,

My name is Terani Richmond and I urge you NOT to accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure for the Authority, not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity.

Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion

infrastructure via a set-aside or similar disposition.

Mahalo nui,

Terani

**From:** [Amanda Robson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 8:51:01 PM

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Dear Chair Chang and Members of the Land Board,

My name is Amanda Leipuanani Robson and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This flies in the face the desire of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Amanda Leipuanani Robson  
*Creative Director & Founder*  
FEAST Celebration Design  
www.feasthawaii.com  
Director of:  
[www.hawaiiwatercodefilm.com](http://www.hawaiiwatercodefilm.com)

**From:** [Camille Rockett](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 7:50:10 PM

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Dear Chair Chang and Members of the Land Board,

My name is Camille Rockett, I was born and raised on Maui, and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Camille Mariko Rockett



**From:** [scott werden](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10, November 14 2025  
**Date:** Thursday, November 13, 2025 6:40:42 AM

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Dear Chair Chang and Member of the Land Board,

My name is Scott Werden and I urge you to not consider a long-term lease of the East Maui watershed at this time. Reasons are this:

**A Long-term lease to a private company flies in the face of what the public wants**

In 2022, the residents of Maui voted for the creation of the East Maui Water Authority that would take control over Maui surface water that heretofore has been controlled by private companies. The Water Authority is community based, giving the public greater say over the use and distribution of a very important resource. However, if the Land Board chooses to grant a long-term lease to EMI it will have side-stepped what the people of Maui voted for.

**Climate change is real and is unpredictable**

All of our water originates from rainfall but rainfall amounts are far less predictable now than just 25 years ago. The trend is for less annual rainfall but additionally, the highs and lows in amounts are more extreme than the past. This of course makes planning for water availability very difficult. This is not a good time to be making long term commitments for a resource that is becoming less certain every year.

**EMWA Stakeholders Group**

I have been a participant in the East Maui Water Authority Stakeholders Working Group for the last year and I would like to add that it has been a very productive group as far as communication of issues related to the East Maui water system. I would like to see the Board continue to make that a requirement of Revocable Permits.

Mahalo for your time,

Scott Werden

PO Box 345

Ha'iku, HI 96708

Dawn N. S. Chang, Chair  
Board of Land and Natural Resources, State of Hawai‘i

Testimony of Jame K. Schaedel

Friday, November 14, 2025

**Opposition** to Staff Recommendation for **Item D-10** - Decision Making Regarding:  
Recommendation to hold a contested case hearing over the proposed disposition of a water license by public auction covering the diversion of public surface water (“proposed License” or “License”), or set aside via Governor’s Executive Order to the County of Maui for the diversion of public surface water (“proposed set aside” or “set aside”) from Ko‘olau Forest Reserve, Island of Maui, Hawai‘i; Tax Map Keys: (2) 1-1-001:044 and 050, 1-1-002:002 (por.), 1-2-004:005 & 007, 2-9-014:001, 005, 011, 012 & 017.

### **WRITTEN TESTIMONY ONLY**

Honorable Chair, and Members of the Board:

Thank you for the opportunity to submit testimony in **strong opposition** against your staff’s recommendation for **Item D-10**.

I offer this testimony as a private citizen, and not in my capacity as a commissioner of the King Kamehameha Celebration Commission.

I am a homesteader living in Kapolei. I am asking the Board to **reject the staff’s recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

As a beneficiary of the Hawaiian Homes Commission Act, my ‘ohana and I are directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL’s most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL’s reservation is granted, please **reject the staff’s recommendation**.

Thank you for considering my testimony in **strong opposition** against your staff’s recommendation for **Item D-10**.

Respectfully,

Jame K. Schaedel  
Kapolei, Hawai‘i

**From:** [Maluhia Scott](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item D-10 testimony  
**Date:** Thursday, November 13, 2025 8:27:15 AM

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Dear Chair Chang and Members of the Land Board,

My name is **Maluhia Scott**, and I'm a lifelong resident of Hāna with deep generational roots in East Maui. I don't usually write testimony, but after seeing the lasting harm that decades of stream diversion have brought to our home like dry lo'i, dying native species, and struggling 'ohana I felt called to testify on this. Just the other day as I was driving the Hana road and most of the rivers were bone dry due diversions, lack of proper management, etc.

I urge you to **reject the staff recommendation** to move forward with any process that gives Mahi Pono a long-term lease for our East Maui streams. Here's why:

**1. It goes against the will of the people.**

In 2022, Maui County voters made it clear that they created the East Maui Community Water Authority to manage and protect these waters locally, with accountability to the people who depend on them. The Authority has been working hard to prepare for this kuleana, and it deserves DLNR's support. Instead of helping a foreign corporation secure decades of control, DLNR staff should be helping the Water Authority steward the streams for the benefit of our communities and ecosystems.

**2. It ignores ongoing public trust violations.**

Before any long-term lease is even considered, unresolved issues must be addressed. Some streams are still being drained dry despite restoration orders. Mahi Pono continues to lose millions of gallons daily through unlined reservoirs. And the court-ordered contested case hearing on the impacts to native species, watershed health, and Hawaiian rights hasn't even happened yet. It's not right to reward neglect with a 30-year lease.

**3. It's dangerous in this time of drought.**

We all know Hawai'i is facing severe drought. In East Maui, we've seen the land crack and the flow of life shrink. How can we give away control of water for 30 years when we don't even know what the next five will bring? It's reckless and out of touch with the climate reality our communities live with every day.

Please don't spend more time or resources paving the way for a foreign corporation to profit off our streams. Instead, stand with the people of East Maui and support the **'Aha Wai o Maui Hikina** our locally grounded, voter-created Water Authority to manage this resource responsibly and restore balance to our waters.

Mahalo for your time and consideration,

**Maluhia Scott**  
Hāna, Maui

**From:** [Janice Toma Shiira](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 12:08:44 AM

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Dear Chair Chang and members of the Land Board:

My name is Janice Toma Shiira and I urge you to please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and instead ask your staff to work with the East Maui Community Water Authority- Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Thank you  
Janicr Toma Shiira

**From:** [Jonathan Simonds](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 8:49:42 AM

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Dear Chair Chang and Members of the Land Board,

My name is Jonathan Simonds and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous. Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,  
Jonathan

**From:** [Jade Smith](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [nhlawctr@kahuliao.ccsend.com](mailto:nhlawctr@kahuliao.ccsend.com); [malamamama1@gmail.com](mailto:malamamama1@gmail.com)  
**Subject:** [EXTERNAL] Long-Term Water License in Maui Hikina  
**Date:** Thursday, November 13, 2025 1:22:51 AM

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Aloha Chair Chang and members of the Board,

My name is Jade Alohalani Smith, a Beneficiary of the Hawaiian Home Land Trust (HHCA 1920) and a resident from East Maui, the district of Hana. Simply put, I am asking the Board to **reject the staff's recommendation** to enter into a Contested Case Hearing for the disposition of a water license to the East Maui Irrigation System.

We are in a historical drought situation and have experienced two fires in our district already. Lack of water was an issue. Also, there's a need for the order of 2018 for the "stream restoration" to be completed. STOP making decisions in your office when we are experiencing direct hardships on Maui! Without the stream restoration, critical devastation hangs in the balance of our precious future. I can't allow this preventable situation to be on deaf ears and create a critical disaster. This water is Life given freely from Jehovah God, to his precious creations. Respect his gift to the land, plants, and all living creatures and do the right things.

As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by decisions regarding East Maui water and the East Maui Irrigation System. Legally, DHHL's most recent water reservation request must be granted before issuing any long-term water lease. Until DHHL's reservation is granted, please **reject the staff's recommendation**.

Mahalo,  
Jade Alohalani Smith  
PH: 808-870-2820

**From:** [Vicky Holt Takamine](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Item D-10  
**Date:** Thursday, November 13, 2025 4:58:24 AM

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Aloha mai kākou

Chair Chang and Members of the Land Board,

I am Vicky Holt Takamine, kumu hula of Pua Ali'i 'ilima and have family, friends and haumāna who live on Maui...who lived, owned businesses, went to school...lived worked and played in Lahaina, Maui.

I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in

the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

I expect to attend the hearing and wish to testify in person as well.

Mahalo nui,

Vicky Holt Takamine

2

Vicky Holt Takamine

Executive Director | PA'I Foundation

Kumu Hula | Pua Ali'i 'Ilima





**From:** [Hau'oli Thielk](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda item D-10  
**Date:** Wednesday, November 12, 2025 8:48:09 PM

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Dear Chair Chang and members of the land board,

My name is Hau'oli Thielk and i do not agree with anyone, especially a foreign company like Mahi Pono, aka psp investments having control of our waters in our streams. These waters belong to the creatures that live in them, the plants and animals that need them to survive and to be utilized by us, the people of Maui. The rivers are our food source, source of recreation and part of our Hawaiian culture and ohana. Tourism has already taken every sandy beach on Maui from us. We are no longer welcome there. We depend on the rivers for food and cultural practices. Not sure if you guys get invited to Hawaiian parties and notice certain foods not served anymore. When I was young always had opae and poi in big bowls for the guests. Now, rarely do I see opae and the poi is given in a super small container people use for salad dressing. I cannot afford to buy poi at the store nowadays, it's so expensive! Poi is our staple food given to us from Haloa and we cannot afford to eat it. I don't know if you guys travel to the north and east side of Maui and see empty riverbeds full of invasive weeds. No look as pretty as clear water flowing down that riverbed. Im sure the tourists would prefer water over weeds! I grew up and still live in Halehaku, located on the northeast side of maui where water is diverted. The river in our valley rarely flows. No hihiwai, no hapawai, no opae, no oopu, no happy Hawaiians swimming and gathering in the river. Only get one pilau muliwai that looks like you would catch staph and gonnarea if you swam in it. The common denominator for all of these issues is lack of water in the streams. How can you take water from multiple communities, that depends on it to survive, and transport it to the other side of the island for a foreign company that wants to grow food that does not benefit us? And now you guys want to give them a lease for 30 years so they can control our waters? How about you guys give the water back to the empty stream beds where it belongs? We do not need or want 30 more years of pilau muliwai, no food to gather, no place to go cool off and enjoy, no happy Hawaiians. I want clear water running down to the ocean filled with our native fresh water animals and our lo'i talo thriving, so we can thrive and enjoy. He kauwa ke kanaka, he arii ta aina!

Im sure you folks know that the right thing to do is to not lease out our water to foreign companies and to return it to where it belongs. Not everything is about money!

Mahalo,

Hau'oli Thielk

**From:** [Brandi-Ann Uyemura](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10 Message  
**Date:** Thursday, November 13, 2025 7:51:06 AM

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Dear Chair Chang and Members of the Land Board,

My name is Brandi-Ann and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This flies in the face the desire of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,

Brandi

Sent from my iPhone

**From:** [tvast@hawaii.rr.com](mailto:tvast@hawaii.rr.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 11:43:44 PM

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Aloha Chair Chang and Members of the Board of Land and Natural Resources:

My name is Teresa Vast and I urge you to NOT accept the DLNR staff recommendation to move forward with a process for giving Mahi Pono a long-term lease for water from East Maui's streams. I am strongly opposed to consideration of or a movement toward such a lease for several reasons:

- **This violates the wishes of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
- **This ignores pressing matters central to your mission.** The BLNR is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there continue to be long-standing violations of the public trust in East Maui's streams:
  1. the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry;
  2. the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs; and
  3. the failure to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions.

These mission-critical issues must be addressed and resolved before any consideration to grant a private entity long-term control of East Maui's streams.

- **This ignores the ongoing drought.** Over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To consider a long-term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, is a perilous denial of this climate reality.

Please do not waste limited staff and financial resources on efforts to “carry water” for a foreign corporation's interests. Instead, put the needs of our local communities first and focus DLNR resources on fulfilling its responsibilities to preserve our islands’ fragile environment.

In summary, please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono. Please direct your staff to work with the East Maui Community Water Authority/Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo for considering my concerns,

Teresa Vast  
Kahalu'u, O'ahu

**From:** [Joseph Wat](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 7:53:55 PM

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Dear Chair Chang and Members of the Land Board,

My name is Joe Wat and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

**1. This flies in the face the desire of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.

**2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.

**3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please **reject** the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition.

Mahalo nui,  
Joseph Wat

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**Joe Wat**

Community Development Coordinator  
KEY Project

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 808 239 5777

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TESTIMONY OF MAHEALANI WENDT  
BLNR Agenda Item D-10

November 14, 2025

A contested case is unnecessary and a horrible idea.

It is unnecessary because the voters of Maui have already spoken. Aren't voters supposed to be the ultimate deciders in a democracy? Isn't this a founding principle of democratic governments?

Why expend additional financial and personnel resources, not to mention putting communities through another grueling legal process, when the issue has already been litigated up and down our court system countless times over nearly four decades and resolved in favor of those communities?

Because the issue isn't fancy or complicated. It simply boils down to whether the people or the corporations should control our trust resources in Hawai'i.

This isn't about sorting out complicated legal questions. It has always been and continues to be political -- whether rich powerful corporations trump the will and rights of the people.

The Hawai'i State Constitution backs up the people.

Hawai'i Revised Statutes back up the people.

The Courts, all the way up to the Hawai'i Supreme Court, has backed up the people.

When a corporation has somehow managed to skirt the law for nearly 40 years, when it has been given permission to divert millions of gallons of water out of the East Maui watershed with so-called "temporary" permits, declared illegal by the courts but still ongoing, what else could it be but political?

The corporation wasn't struggling with legal issues -- for most of those 40 years, it simply refused to comply with the law. It refused to comply with environmental laws required for issuance of long-term leases. For many decades the corporations forced communities to go to court to make them comply and even then, the temporary permits continue to be issued.

It's a horrible idea because the people in our communities have already been dragged through countless contested case hearings over who should get the water. It's been the people versus the powerful corporation the entire time. The corporation even told them they didn't have a right to be heard, didn't have legal standing to challenge the



corporation's unlawful practices and mismanagement of the resource. This proposed contested case hearing would be just another chapter in that shameful story.

It's because of this terrible history, this history of what the BLNR has put the people through, the gross mismanagement of East Maui water resources, that the people of Maui voted to put an end to it, to put management of this sacred public trust resource in the hands of the people, of community, of stakeholders who not only depend on the resource for their survival but who come from an ethic of fairness and sharing, who are committed to making sure all who need the water receive their fair share, instead of an ethic of hoarding, of waste, of unapologetic extraction, of private profiteering on the backs of the people.

Do the rights of a foreign corporation over Hawai'i's public trust resources trump the will of the people?

Is this the question members of the BLNR are struggling to decide?

Instead of approving a contested case hearing approach, how about putting trust in the people, who demonstrated again and again their love, caring and commitment to the land that is sacred to them, not just a profit-making commodity?

Since its inception, Aha Wai o Maui Ka Hikina, the East Maui Water Authority's engagement with community has been exceptional, and they have earned our 100% support.

Aha Wai o Maui Ka Hikina is working with all stakeholders, including representatives of Mahi Pono and A&B, to effectuate a deliberate, well thought out, transition of management from private hands to oversight by a public trust entity focused narrowly on pono management of East Maui waters for the betterment and good of the people of Hawai'i.

Please seriously consider the counsel of Aha Wai o Maui Ka Hikina, which has been entrusted by the voters, East Maui communities and all stakeholders concerned, with management of this sacred trust resource for future generations.

Please do not vote to hold a contested case hearing on this matter.

Mahalo.

**From:** [scott werden](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for November 14, 2025, Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 10:03:41 PM

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To Chair Chang and Members of the Board –

We are writing to urge that consideration of a long-term lease for the four parcels of State land in East Maui be deferred. There are many reasons that consideration of this lease is not warranted at this time. Here are three of those:

**A Long-term lease to a private company flies in the face of what the public wants**

In 2022, the residents of Maui voted for the creation of the East Maui Water Authority that would take control over East Maui surface water that heretofore has been controlled by private companies. The Water Authority is community based, giving the public greater say over the use and distribution of a very important resource. However, if the Land Board chooses to grant a long-term lease to EMI it will have side-stepped what the people of Maui voted for.

**Climate change is real and is unpredictable**

All of our water originates from rainfall but rainfall amounts are far less predictable now than just 25 years ago. The trend is for less annual rainfall but additionally, the highs and lows in amounts are more extreme than the past. This of course makes planning for water availability very difficult. This is not a good time to be making long term commitments for a resource that is becoming less certain every year.

**We need reliable stewards for our water and watershed**

In 2018 and 2022, the CWRM decided on instream flow standards (IIFS) for all diverted streams in the lease area. Some of those streams have been ordered by the CWRM to be free flowing, with no diversions, while some require modification of existing diversions. Yet many streams still have the same structures in place even though compliance with IIFS is a required element of the Revocable Permits that have been granted since then. Water is a precious resource that should be managed in a manner consistent with its importance. The BLNR should be putting a greater emphasis on finding a steward who will prioritize appropriate care of the resource rather than treating it as a business cost/benefit.

Mahalo for your time,

Ha'iku Community Association  
PO Box 1036  
Haiku, HI 96708

**From:** [Natalie Wilbur](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Thursday, November 13, 2025 3:53:12 AM

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Dear Chair Chang and Members of the Land Board,

My name is Nakoa Wilbur and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

1. This violates the wishes of Maui County voters. In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This Authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
2. This ignores pressing matters central to your mission. The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono/PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments' stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
3. This perpetuates drought denial. As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful, and dangerous.

Please do not waste your limited staff and financial resources on a misguided attempt to appease a foreign corporation's interests over that of the public, Native Hawaiian communities, and all who have a stake in our islands' environmental integrity, democracy, and dignity. Please reject the staff proposal to move forward with the process for a long-term lease to PSP Investments/Mahi Pono, and please instead ask your staff to work with the East Maui Community Water Authority/'Aha Wai o Maui Hikina, to facilitate their administration of East Maui's diversion infrastructure via a set-aside or similar disposition. Mahalo nui,

Nakoa Wilbur

**From:** [Kardeen Wong](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-10  
**Date:** Wednesday, November 12, 2025 8:03:02 PM

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Dear Chair Chang and Members of the Land Board,

My name is Kardeen "Pili'aloa" Wong and I urge you to NOT accept the staff recommendation to move forward with any process that contemplates giving Mahi Pono, a.k.a. PSP Investments, a long-term lease for East Maui's streams, for the following reasons:

- 1. This flies in the face of the desire of Maui County voters.** In the 2022 elections, Maui's voters established a community-based East Maui Community Water Authority to take over the long-term administration of East Maui streams. This authority and its staff have been diligently preparing to accept this kuleana, with the full support of the county administration. DLNR staff should be assisting and working toward a set-aside of East Maui diversion infrastructure to the Authority - not spending time and resources on creating a path for a foreign entity to continue the corporate control of Maui's public trust resources.
- 2. This ignores pressing matters central to your mission.** The Land Board is the primary agency tasked with upholding the public trust in our natural and cultural resources. Yet, there are still long-standing violations of the public trust in East Maui's streams that must be addressed, before any contemplation of leasing them to a private entity, including: the non-implementation of Water Commission stream restoration orders for streams that continue to be drained dry; the continued, decades-long loss of millions of gallons of water per day through unlined reservoirs that Mahi Pono /PSP Investments still refuses to line; and the need to hold a court-ordered contested case hearing to address the immediate impacts to watershed health, native species, and Hawaiian rights (among other pressing issues) of the upcoming 2026 revocable permit for Mahi Pono/PSP Investments stream diversions. There should be no time or energy spent on trying to meet the desire of a foreign corporation to control East Maui's streams for the next 30 years, when so many mission-critical issues in these streams continue to remain unaddressed.
- 3. This perpetuates drought denial.** As you likely know, over the last five years, East Maui and the rest of Hawai'i have been undergoing a drought that has worsened far, far more quickly than anticipated. There is no indication that conditions will stabilize in the near future. To contemplate a long term disposition of water when we have no idea how much water will be available in the next 5 years, much less 30, with a corporation whose farm plans are completely out of touch with this climate reality, is nonsensical, wasteful and dangerous.

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Mahalo nui,  
Kardeen H. "Pili'aloa" Wong