

From: [Brigitte Axelrode](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on agenda item D-10
Date: Friday, November 14, 2025 12:16:45 PM

Aloha kakou- Chair Chang and Members of the Board,

O wau o Brigitte Leilani Axelrode or Gigi and I am a recent graduate w my MA in political science from UHM. I currently reside here on oahu but my mookuauhau is tied to Maui and part of my ohana still resides there. I'm here today to 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, for the following reasons:

1.. *This directly contradicts the clearly expressed will of Maui County*

voters. In the 2022 elections, the people of Maui chose to establish a community-based East Maui Community Water Authority to assume long-term stewardship of East Maui's streams. On October 29th, I attended a community meeting in Ha'ikū held by the East Maui Water Authority, where they engaged with the needs of residents in a process grounded in mutual agreement, transparency, and respect.

following this example- Please assist the Authority—and do not create a pathway for a foreign corporation to maintain private control over our wai. These resources must serve the lineal descendants, residents, and the communities who rely on them—not a corporation.

2. This overlooks urgent responsibilities fundamental to your mission. The

Land Board is the primary agency charged with upholding the public trust in Hawai'i's natural and cultural resources. Yet in East Maui, that trust has been repeatedly violated—these violations include: the ongoing failure to implement Water Commission—ordered stream restoration; the decades-long loss of millions of gallons of water each day through unlined reservoirs that Mahi

Pono/PSP Investments still refuses to line; and the unresolved, court-ordered contested case hearing needed to address the upcoming 2026 revocable permit for Mahi Pono/PSP Investments.

3. This advances a narrative that ignores the reality of our worsening drought. As you are well aware, East Maui—and all of Hawai‘i—has endured a rapidly intensifying drought that has far outpaced every projection.

Reject the staff proposal to advance a long-term lease for PSP Investments/Mahi Pono. Instead, collaborate with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina to facilitate their management of East Maui’s diversion infrastructure through a set-aside or comparable mechanism.

The key is that these are organizations that are working alongside the community and care about the long-term wellbeing of Maui- something that should be this department's main concern as well.

Please don’t allow our public resources to be privatized by foreign investors.

Maui no ka oi and ola i ka wai

Mahalo nui,

Brigitte Leilani Axelrode

It seems as if these corporations had unfettered access to our wai, they would take until there was nothing left.

(she/her/they/ 'o ia)

MA Political Science

Lecturer,

Women, Gender, and Sexuality Studies

University of Hawai'i at Mānoa

From: [Tiana Baumsteiger](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 6:38:44 AM

Dear Chair Chang and Members of the Land Board,

My name is Tiana Baumsteiger 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,

Tiana Baumstieger

From: [Olivia Caron](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 8:31:06 AM

Dear Chair Chang and Members of the Land Board,

My name is Olivia Caron 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,

Olivia Caron

Sent from my iPhone

From: [Janoah Corba](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 5:11:23 AM

Dear Chair Chang and Members of the Land Board,

My name is Janoah Corba 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,

Janoah Corba

From: [Nia May](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] East Maui Water
Date: Thursday, November 13, 2025 11:26:28 PM

Aloha Chair Chang and The Board

I grew up in Huelo, Maui swimming in Hanehoi stream and watching the water flow levels every day on our walk home from the bus stop. The wellness of the streams directly correlates to the wellness of the community members living in those areas.

I strongly oppose a new 30 year lease to Mahi Pono to continue diverting water from East Maui to water agricultural lands in Central Maui.

Kanaka Maoli and passionate residents of Maui Hikina have been engaging in a generations long effort to return the Wai to our streams. Please make a decision that is in support of indigenous life ways, food sovereignty, healthy ecosystems, and the mental health of the locals in East Maui.

Let's focus on regenerative agriculture. Native reforestation efforts in central Maui and Hamakuapoko will help the natural water cycle return and mitigate the effects of the drought.

Please support Kanaka, Keiki o ka aina, and locals over off shore corporate interests.

Mahalo Nui Loa
Nia Fitzpatrick

From: [Kameron Fraser](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 10:35:55 PM

Dear Chair Chang and Members of the Land Board,

My name is Kameron Fraser 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.

Being a lifetime visitor to this land I strongly urge you to take a deeper look at the bigger picture here at stake. If the water rights end up in the wrong hands this will forever change the natural landscape and precious resources and environment that make these islands the most beautiful and important heartbeat to the People and future of the island of Maui. We clearly have an already existing example of poor water management and farming practices from an outsider company that is causing irreversible damage to the soil, air quality and our oceans lifeline. Mahi Pono is not who should have any say or access to the water. Please I strongly ask that you do not give consideration to Mahi pono for a long term lease for East Maui water rights.

Mahalo nui,

Kameron Fraser

From: [Kyle Greenwood](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Water lease Maui
Date: Friday, November 14, 2025 8:16:13 AM

Dear Chair Chang and Members of the Land Board, My name is Kyle Greenwood 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, Kyle Greenwood, Haiku Maui
Sent from my iPhone

KA LĀHUI HAWAII

Testimony of Ka Lāhui Hawai'i
Agenda Item D-10
Submitted by: Leianuenue Niheu

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

Ka Lāhui Hawai'i urges the Board to reject the staff recommendation to proceed with any process that would grant Mahi Pono—also known as PSP Investments—a long-term lease for the waters of East Maui.

This proposal runs directly counter to the will and intent of Maui's people. In 2022, voters overwhelmingly supported the creation of the 'Aha Wai o Maui Hikina, a community-based water authority designed to restore East Maui's streams and ensure their management serves the public good. This authority was established to return kuleana to the community, not to extend or entrench corporate control—particularly by an international investment fund with no genealogical, cultural, or historical ties to these 'āina.

Rather than advancing a pathway to privatize public trust resources, DLNR should be partnering with the 'Aha Wai o Maui Hikina to fulfill its constitutional obligations and ensure water decisions are grounded in community stewardship.

Before any lease can be contemplated, DLNR must address clear and ongoing violations of the public trust, including:

- Unfulfilled stream restoration orders, with many East Maui streams still running at severely reduced flow or completely dry.
- Millions of gallons of daily water loss through Mahi Pono's unlined reservoirs—problems long known and still unaddressed.
- Outstanding court-ordered contested case hearings examining the real environmental and cultural impacts of continued diversions.

To move forward with a 30-year lease while these critical failures remain unresolved would privilege corporate profit over accountability, ecological protection, and the water rights of Native Hawaiians and the broader Maui community.

We are also experiencing a worsening drought across the pae 'āina. Advancing a long-term water lease in the face of accelerating climate change—when we cannot predict with certainty

KA LĀHUI HAWAI‘I

how much water will even be available in five years, much less thirty—is both irresponsible and dangerous.

On behalf of Ka Lāhui Hawai‘i, I respectfully ask the Board to stand with the people of Maui and uphold your constitutional duty to protect Hawai‘i’s public trust resources. We urge you to reject this lease proposal and direct DLNR staff to work collaboratively with the ‘Aha Wai o Maui Hikina so that East Maui’s streams may finally be restored and stewarded by and for the community.

Mahalo nui,
Leianuenue Niheu
For Ka Lāhui Hawai‘i

From: [Kaimi Ross](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 9:04:58 AM

Dear Chair Chang and Members of the Land Board,

My name is Ka'imihokulani Kaleleiki 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,

Ka'imi Kaleleiki

From: [Tea Kauhaapo](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 8:16:54 AM

Dear Chair Chang and Members of the Land Board,

My name is Téa Kauhaa-Po 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.

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set-aside or similar disposition.

Mahalo nui,

Téa Kauhaa-Po

From: [Jimmie Kincaid](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Long-term license for water in Maui Hikina to Mahi Pono
Date: Friday, November 14, 2025 7:39:12 AM

Aloha chairman Chang and members of the board

My name is James Kahelelani Kincaid and I am on the board of the Paukukalo Hawaiian Homestead community Association and I am a lease on said Homestead. I am asking the board to reject the staff 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 in 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, kindly reject the staff's recommendation.

Kind regards,

James Kahelelani Kincaid

Sent from my iPhone

From: [Destina Kittiel](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony Opposing Item D-10 — Long-Term Water License for East Maui
Date: Friday, November 14, 2025 12:30:48 PM
Attachments: [Destina's Testimony Opposing.pdf](#)

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

My name is Destina Roja Kittiel, and I stand in strong opposition to Item D-10 regarding the disposition of a long-term water license for East Maui Water.

Before there were counties, laws, corporations, and lease agreements, there was the great Māhele — and even before that, there was a time when the people belonged to the land, not the other way around. Water flowed from mauka to makai, feeding kalo patches, families, communities, and ecosystems. There were no boundaries drawn for profit. There were responsibilities — kuleana — to care for ‘āina and wai so that future generations could thrive.

Today, we are standing in a moment where those ancient truths and responsibilities are being ignored.

Our freedom to live off the land is slowly being taken away, piece by piece, replaced by corporate control, monetization, and decisions that directly harm the communities who have been here since time immemorial.

No man, no corporation, and no outside entity has the right to take our water, sell it back to us, or profit off a resource that is not theirs (and Stolen!). Especially not while local families struggle without homes, small farmers struggle for water, and native ecosystems are drying up.

We all know the truth:

The land was stolen. Now the water is being taken.

How can we even sit here and discuss the transfer of water rights when the overthrow of the Hawaiian Kingdom has never been resolved?

How can we talk about “leases” and “licenses” when the people who descend from this land are fighting just to keep water in their streams, in their lo‘i, and in their communities?

If this Board chooses to move forward with any action, it must begin with this foundation:

Wai is life. Wai is identity. Wai is ancestral law. Wai is the people.

This is why I am urging you:

1. Return water to the streams, lo‘i, and rivers of East Maui Water.

The health of the ‘āina, native species, and cultural practices depend on adequate streamflow.

2. Uphold the Public Trust Doctrine and Native Hawaiian water rights.

These rights are not optional, and they are not secondary to corporate agriculture or foreign investment.

3. Place management of East Maui’s water back into the hands of the community.

Local stewards, cultural practitioners, and farmers are the true experts of this land — not corporations whose priority is profit.

4. Stop the long-term leasing of a resource that cannot be owned.

Water is not a commodity. It is a sacred trust.

5. Focus on education, conservation, and restoring sustainable agriculture.

Hawai‘i needs more local farmers — not less. We cannot grow food resilience if we keep giving away control of our most precious resource.

Hawai‘i cannot claim to value culture, sustainability, or community if it continues to repeat the patterns of dispossession and extraction.

We need courage.

We need accountability.

We need the community to rise and protect the water before it is too late.

The water must go back to the land.

The people must be the ones to care for it.

Please do the right thing. Protect the streams. Protect the ‘āina. Protect the future. Protect the community.

Mahalo for the opportunity to speak.

Destina Kittiel

Maui, Hawaii

From: [Sierra Knight](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Subject: Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 3:40:38 AM

Dear Chair Chang and Members of the Land Board,

My name is Sierra Knight 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,
Sierra Knight

From: [Etan Krupnick](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Agenda Item D-10
Date: Friday, November 14, 2025 12:05:47 AM

Aloha Chair and Members of the board,

Congratulations on this opportunity you all have in front of you. The opportunity of a lifetime, where you all can agree 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.

Please grant the water license to the county of Maui, the time for change is now and it's been way over due.

What would be the reason to grant a 30 year lease to a Canadian Hedge Fund? So they can keep planting more lime trees? Who does that feed? It's business and PSP investments aka Mahi Pono chose to invest in the wrong business, which was a lime farm. We should not allow them a 30 year lease of our water. Mahi Pono is the largest land owners in Maui. They have more than enough money to pay the market rate to water their lime trees.

I encourage you Chair Chang and the board members to be courageous, keep the water with the people, say yes to honoring the water license to the County of Maui.

Mahalo,
Etan Krupnick

Aloha Chair and Members of the Land Board,

I urge you **not** to accept DLNR's recommendation to pursue any process that advances a long-term water lease for Mahi Pono/PSP Investments in East Maui.

First, in the DLNR's own Recommendation to initiate a contested case, it states:

*"...the Board initiates on its own a contested case hearing with relevant parties over relevant issues related to the **best management** of East Maui stream..."* (pg. 2).

If "best management" is truly the objective, then PSP Investments—a private Canadian investment firm—cannot meet that standard. Their record already shows this; for example, they have refused to line reservoirs that capture the water they divert. This is far from "excellent, effective, desirable quality, or of the highest degree" of stewardship. No foreign investment company will ever know, mālama, or manage Hawai'i's waters better than the people of this place.

Kalo farmers, in particular, embody what real water management looks like. Their relationship with wai is intimate, daily, and rooted in deep knowledge of the kahawai, po'owai, 'auwai, makawai, ho'i wai, kuauna, and the surrounding ecosystem from mauka to makai. They observe, maintain, and care for the water not just for their own benefit, but for the entire community.

Who is best suited to manage our streams? Those who see, smell, touch, taste, and understand the wai every day—or a corporation whose representatives may never set foot in these streams, whose diversions send water into distant pipes and reservoirs, divorced from the responsibility of caring for its source? If the Board seeks true, community-rooted, culturally grounded water resource management, then '**Aha Wai Maui Hikina** is the most qualified and appropriate steward.

Secondly, the public trust doctrine requires the State to **protect and provide for the maximum, beneficial use of water for the public**, not private corporations. The BLNR, the State, and Governor Josh Green all share this constitutional duty. Yet this proposal offers no real assurance that the public trust will be protected; instead, it signals preference for a private entity.

Under the public trust, any balancing between public and private uses must **begin with a presumption in favor of the public**. This recommendation does the opposite. At a time when Hawai'i's water resources are limited and increasingly threatened, the State should be prioritizing protection, restoration, and sustainable, community-based use—not accelerating water allocations for corporate interests. The current trajectory makes clear: if we continue investing in private water leases at this rate, we risk a future where neither public nor private users have sufficient water at all.

Is that the future you desire?

Ke aloha 'āina 'oia'io,

Maluhia Low

From: [Braiden Maither](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 7:50:32 AM

Dear Chair Chang and Members of the Land Board,

My name is Braiden Maither 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,

Braiden Maither

From: [Brandon Makaawaawa](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony Opposing Contested Case Hearing Agenda item D-10
Date: Friday, November 14, 2025 12:31:40 AM

Subject: Testimony Opposing Contested Case Hearing Agenda Item D-10

Aloha Chair Dawn Chang and BLNR board members,

My name is **Brandon Maka‘awa‘awa**, Vice President of the **Nation of Hawai‘i**, residing on the island of O‘ahu. I submit this testimony in **strong opposition** to Agenda Item D-10.

Granting a contested case hearing would only prolong and legitimize a process that should never have advanced this far. Mahi Pono—a **foreign corporation** jointly owned by California-based Trinitas Partners and the **Canadian Public Sector Pension Investment Board (PSP Investments)**—seeks to lock in **decades-long control** over the majority of Maui’s diverted stream water. This is not stewardship; it is **corporate colonization** of a public trust resource.

In 2022, the people of Maui County spoke clearly at the ballot box, **overwhelmingly voting** to establish the **East Maui Water Authority** through a charter amendment. That vote was a mandate: **Maui’s water must be managed in a pono way—by and for the people of Maui**, not by foreign investors whose primary obligation is to distant shareholders.

A contested case hearing is **not** the path to justice. It is a procedural delay that risks entrenching corporate control while draining public resources and exhausting community capacity. The BLNR must **deny the request for a contested case hearing** and **reject the long-term lease outright**. Water is life. It belongs under local, pono governance—not under the perpetual lease of a foreign entity.

Let the East Maui Water Authority fulfill the will of Maui’s voters. **Deny the contested case. Deny the lease. Return the water to the people.**

Mahalo for upholding the public trust,

Brandon Maka‘awa‘awa

Vice President, Nation of Hawai‘i

O‘ahu, Hawai‘i

brandon@nohgov.com

808-221-6906

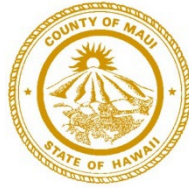
November 14, 2025

RICHARD T. BISSEN, JR.

Mayor

JOSIAH NISHITA

Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

November 14, 2025

Ms. Dawn N.S. Chang, Chairperson
Board of Land and Natural Resources
DLNR Boardroom, Kalanimoku Bldg.
1151 Punchbowl St., 1st Floor Room 132
Honolulu, Hawaii 96813

Aloha e Chair Chang and Member of the Board,

On behalf of the County of Maui, I am submitting this testimony in opposition to Item D-10, which recommends holding a contested case hearing over the proposed disposition of a 30-year water license for East Maui. This direction disregards critical progress made over the past year and threatens to derail a collaborative process this Board itself encouraged Maui County to pursue.

Over the past year, the County of Maui, the East Maui Water Authority, and Mahi Pono have taken steady, intentional steps to rebuild trust and work toward a long-term solution for East Maui's water. These conversations have not been easy, nor should they be rushed. Since negotiations began, the parties have held ongoing meetings. The process has not been perfect, but it is the first time in decades that we are all engaging directly and working together with Maui's best interest in mind.

For generations, East Maui communities — especially Native Hawaiian farmers, kalo growers, and long-time residents — have navigated significant challenges related to water access and stewardship. These longstanding issues will take time and continued commitment to work through. We are finally at a place where the parties are talking honestly, working to identify solutions, and building trust.

In East Maui, this is not an abstract policy matter. It is personal, emotional, and rooted in generations of lived experience. Pushing a contested case at this moment risks deepening divisions at a time when the community is finally working toward a shared solution.

Maui's future depends on a strong agricultural sector, and Mahi Pono plays a critical role in keeping our lands productive and our island more food secure.

Their employees are our neighbors, our family, and our friends, and their success is directly connected to Maui's future. While some may view the contested case as a means to protect interests, there remains a clear and viable path through continued negotiation — and I believe Mahi Pono's leadership sees that path as well.

A contested case comes with unintended consequences, including delays, added costs, and the risk of deepening community divisions. The issues before us extend far beyond legal procedure; they involve culture, history, relationships, and community well-being.

I respectfully remind the Board of Chair Chang's statement last year when this same item was withdrawn. She noted that withdrawal was necessary "to respect the newly established local water authority on Maui" and to support long-term partnerships that serve both public and private interests. She also shared that she heard "heartfelt comments" from the community seeking a mutually beneficial path that ensures water for future generations. Those values have not changed — and the parties are finally making the progress those comments envisioned.

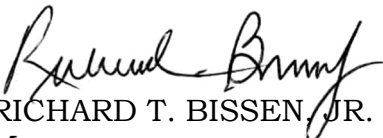
Over the past year, the East Maui Water Authority has become established and is now working closely with the community. All parties continue to engage in active, good-faith negotiations with a shared commitment to move forward collaboratively. There is also no legal requirement under HAR § 13-1-28 to initiate a contested case, and the Board itself previously obtained a stay on a similar proceeding. Initiating another now would be inconsistent with both the law and the spirit of the Board's own prior actions.

This decision and its consequences are best understood and addressed back home on Maui. We agreed to maintain the status quo for another year to ensure uninterrupted service while negotiations continue. All we ask for is the time and space to finish the work this Board supported us in beginning last year. No one can reasonably expect an issue of this magnitude to be resolved in a single year. We can only move at the speed of trust.

In closing, I ask the Board to stand with Maui County once again and support us in continuing this work through a collaborative and inclusive approach. Our community deserves that chance. Our progress depends on it.

Mahalo for your consideration.

Sincerely,


RICHARD T. BISSEN, JR.
Mayor

From: [Mavis Oliveira-Medeiros](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Item D-10 East Maui Waters
Date: Thursday, November 13, 2025 10:36:56 PM

Dear Chair Chang and Members of the Land Board,

My name is Earle Medeiros 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 County 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 Water 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,

Earle K. Medeiros, Sr.

Earle Medeiros, Jr.

Megan Medeiros

Anela English

John-Bull English

East Maui Residents

(808)303-1859

From: [MauiMercer](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Adgend Item D-10
Date: Friday, November 14, 2025 4:58:48 PM

Aloha,

Please do not give Mahi Pono a 30-year water lease. Keep Maui's streams controlled by East Maui's residents and not by a Canada Corporation. I realize that Mahi Pono needs water to run their business but we need water to live our lives.

I urge you NOT to accept the staff recommendations to move forward with giving Mahi Pono a lease for East Maui streams. Keep our water for our people!

Mahalo, Janet Mercer

From: [Kate Morgan](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 7:10:51 AM

Dear Chair Chang and Members of the Land Board,

My name is Kate Morgan 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,

Kate Morgan

From: [Mavis Oliveira-Medeiros](#)
To: [DLNR.BLNR.Testimony](#)
Cc: [Mavis Oliveira-Medeiros](#)
Subject: [EXTERNAL] Item D-10, Please reject Long Term lease
Date: Thursday, November 13, 2025 10:09:55 PM

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

My name is Mavis Iwalani Oliveira-Medeiros and I am urging you to reject any process that contemplates a Contested Case Hearing or granting Mahi Pono/PSP Investments — including its subsidiary EMI — a long-term lease for East Maui’s public trust waters.

1. This violates the will of Maui’s voters.

In 2022, Maui County voters voted to create the East Maui Community Water Authority specifically to assume long-term administration of East Maui’s streams. The county, the Mayor, and the Water Authority have all been preparing for this kuleana.

The Hawaii Public Trust Doctrine — reaffirmed in Waiahole I & II — requiring the State to prioritize traditional and customary practices, not private corporate control. Staff resources should be assisting the Authority with a set-aside of diversion infrastructure, not clearing a path for a foreign investment corporation to hold East Maui’s water for another 30 years.

2. Public trust violations remain unresolved.

Before any lease is even discussed, the Board must address the long-standing breaches of trust in East Maui:

- Streams still running dry despite Court orders to restore them, not from this years drought, but many years before that.
- Millions of gallons lost daily through unlined reservoirs of Mahi Pono, still hasn’t lined; more getting lost in poorly maintained tunnels & diversions.
- Address the negative impacts on watershed health, native species, and Traditional & Customary practices.

Under Kelly v. 1250 Oceanside Partners and Waiahole, the State must show a “high degree of protection” for public trust resources — not advance a discretionary long-term lease while clear harms persist.

3. The climate crisis demands caution, not corporate certainty.

East Maui is already experiencing severe, accelerating drought. Granting a 30-year water lease when we do not know what the next 5 years will look like is reckless. Private agricultural

plans cannot outweigh the need to preserve water for kalo growers, ecosystems, cultural practices, during worsening climate extremes.

My Personal Connection

I was partially raised in the East Maui Ko‘olau area — in Nāhiku and ‘Ulaino — where my ‘ohana grew watercress and harvested hīhīwai, ‘o‘opu, ‘ōpae, and prawns from the ‘Ulaino muliwai, and from Makapipi and Waiohue streams. In the 1960s, before heavy diversions, our rivers ran full and clean. I remember when we first noticed the ponds not filling and the streams running low — the life in our waters was disappearing and our Mom was in shock, like it was a bad omen. At the time, no one knew what was happening upstream. No longer could she & our Dad take us there to collect food. I wasn’t even a teen-ager yet, but today I realize that, that one act by A&B to just divert our streams to water their sugarcane, as if none of our lives mattered, has taken away 3 generations of our traditional & customary rights. And it’s not just our family, it’s hundreds of families, thousands of Kanaka Maoli.

Today, every time we make that long and winding road trip to Wailuku — passing all 54 bridges and streams, sometimes 2–4 times each month — we see invasive grasses, shrubs and trees choking streambeds that used to run with water. These streams have been so starved that even the vegetation tells the story of neglect.

It is also deeply concerning that EMI used chemical sprays — often appearing to be herbicides along the access roads leading up to their diversions. Whatever the product is, spraying chemicals into steep watershed areas above our food sources and native stream life is unsafe, irresponsible, and entirely inconsistent with the duties of a public trust user. If Mahi Pono wants long-term control, they should first demonstrate responsible long-term care to the streams and infrastructure.

This constant, visible harm is why East Maui needs stewardship rooted in kuleana and not corporate profit.

Final Request

Please reject the staff recommendation to begin any long-term lease process for Mahi Pono/PSP Investments/EMI.

Instead, direct staff to work with the East Maui Community Water Authority / ‘Aha Wai o Maui Hikina to facilitate a set-aside or similar disposition that returns the management of East Maui’s streams to a truly public, locally accountable entity — consistent with Hawai‘i’s Constitution, case law, and the will of Maui’s voters.

Mahalo nui for your time, your kuleana, and your commitment to Hawai‘i’s Public Trust.

Me ka ha’aha’a,

Mavis Oliveira-Medeiros

East Maui Resident, Hana

(808)866-7409

From: [Martina Osicka](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 10:24:53 PM

Dear Chair Chang and Members of the Land Board,

My name is Martina Osicka 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 (please see/read additional paragraph at the bottom):

- 1. This violates the wishes of Maui County voters.**
- 2. This ignores pressing matters central to your mission.**
- 3. 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.

I trust that there are more appropriate stewards for the watersheds of East Maui. This message rings in the hearts of all kanaka who have been speaking up after the Lahaina Fire. It is time for a new generation of stewards to be given the platform, support & sincerity that is deserved. I beg that whatever if any incentives that this is a good idea for Maui are false, misguided and only part of a story as told by those with money and seek control of our most precious resource. This is not better for Maui. Please allow the space for a new era begin before it's too late for all of us by rejecting this proposal. Protect the waters of our keiki. Hold in your hearts a vision of Maui more beautifully abundant than the one that comes from a deal like this.

Mahalo nui,

Martina Osicka

Aloha Chair Chang and Members of the Land Board,

‘O Hi‘ialoaKahekili Palakiko ko‘u inoa. Noho au ma ka ‘awawa ‘o Kaua‘ula ma Maui (My name is Hi‘ialoaKahekili Palakiko. I live in the valley of Kaua‘ula on Maui) and I am writing this testimony for my lāhui and the next generation that comes after me.

For too long, our wai across kou Hawai‘i pae ‘āina has been mistreated and mismanaged by the private sector claiming to care for our precious resources and the Hawaiian way of life. In Hawaiian history and culture, Hawaiians understood the importance of our water system on each island, which created the ‘Ahupua‘a system allowing every living thing access to water. Water would flow from Maui to Makai which benefited every aquifer and maintained a lush environment. Water was not meant to be owned by anyone during that time as it was and still is a resource that one must have to survive in this world.

However, due to greed and corruption, many want to try and claim our wai as theirs not for the sake of our Lahui but for their own personal gain. Personally, I have seen the damages that come with allowing private developers control of our wai and it is time to huli the system. Right now the County of water supply here on Maui has declared various water shortage stages and locals here on the island are told to conserve water while private sectors continue to pull water from our streams for their own personal gain. How is that pono! When you look at west Maui, it is obvious that the lack of water is affecting our community and continues to create a dangerous environment for all who live on the island.

If we continue to allow these private companies to abuse our water resources, what is stopping them from running our streams dry and being in the same situation as us in West Maui. Allowing companies to reduce stream flow will not just hurt our ecosystems but affect traditional agriculture (like kalo farming) as well as cultural practices. As a Native Hawaiian, I am concerned about the next generation and the “public trust”- water from streams which is supposed to serve many interests (cultural, downstream users, and the ecosystems), not just large scale agriculture.

As I drive up Haleakala highway, it is very hurtful that big private companies are able to use our water but Kalo farmers like myself are forced to fight for wai due to companies taking more of the water they need. Stream flows are deeply tied to cultural and traditional practices and diverting too much water can hurt our ability to maintain lo‘i (taro patches). History has shown that private companies do not take into consideration the public trust creating a long term risk to our community by using more groundwater during dry periods which depletes our aquifers, threatening future supplies for everyone.

It is time to think about the public’s interest instead of thinking about how one may gain more income in their pockets. As you folks read more testimonies, I hope you folks think about the lāhui and its future. Lets make the right step in charging our aquifers and allow Mauka to Makai stream flow.

Mahalo nui for reading

- Hi‘ialoaKahekili Palakiko

From: [Megan Loomis Powers](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 11:38:21 PM

Dear Chair Chang and Members of the Land Board,

My name is Megan Loomis Powers and I grew up alongside a huge East Maui Stream that was mostly dry for the last 120 years due to EMI's diversions! The impacts of dewatering a beautiful, life giving stream is heart breaking and damaging to life and property and criminal to life on earth. The water only flows now due to deferred maintenance on the diversions. But as the water has flowed for the last few years we have witnessed the exquisite glory of life returning. This stream, Ho'olawa, should have IIFS established and secured and made manifest. It is one of the many streams whose flow has not been returned and secured based on the IIFS. We are grateful that the diversion gate is broken but we dread the time if and when the gate gets repaired by Mahi Pono.

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.

Who are these DLNR staffers anyway that recommend we give All our east Maui water rights away to a foreign corporation for the next 30 years? Who is this staff? What kind of bribes or connections or corruption could they be taking to sell us out? They probably worked for A&B or EMI, old cronies, gonna get a big payout from the \$33 million that A&B owes Mahi pono if A&B doesn't deliver this 30 year lease. Over and over again you keep trying to give them this 30 year lease. Over and over again we

say NO! Absolutely Not! Even all of Maui County Spoke out in the 2022 election by authorizing the creation of the East Maui Water Authority to take over the management of the east maui water. How dare you even consider granting this 30 year lease to a foreign corporation. Don't do it! This watershed needs home rule by local residents who care about its vitality for present and future generations.

Thats my testimony on Agenda Item D-10.

Mahalo nui,

Megan Loomis Powers

From: [Joy Salvador](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] D10
Date: Friday, November 14, 2025 11:31:47 AM

aloha mai!

better late than never!

I am a kanaka 'ōiwi and stand opposed to the continued theft of water from our east maui streams.

The only reason is to profit the pockets for foreigner ms and non kanaka 'ōiwi.

The result not only dries our stream beds but raises the global temperature and that is not in line with the worlds, americas, and our peoples goals and ability to thrive.

I am opposed!

Mahalo

Kumu Hula Joy Keōpūolani Salvador

Sent from my iPhone

From: [brandy-alia serikaku](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 7:28:36 AM

‘Auhea ‘oukou e Chair Chang and Members of the Land Board,

My name is Brandy-Alia Serikaku 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 decision does NOT align with 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. Your choices are prioritizing financial gain and outside interest and not the voice of the people who you are meant to represent.

2. This decision directly 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,

Na Brandy-Alia Serikaku

From: [Leo Nahe Smith](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 11:16:17 PM

To Chair Chang and Members of the Land Board,

‘O Leo Nahenahemailani Smith ko‘u inoa piha, no Wai‘ehu, Maui mai au. I am writing to urge you **NOT** to accept the staff recommendation or advance **any** process that would grant the foreign entity Mahi Pono a long-term lease for East Maui’s streams.

Time and time again, our communities are forced to fight for our most basic needs, affordable housing, access to healthy food, and clean, life-giving water. These are resources that were once freely available to all in the Hawaiian Kingdom. Today, they have become scarce for local people while being handed over, without hesitation, to powerful and wealthy foreign corporations. How backwards is that?

Bayer. Monsanto. HC&S. Mahi Pono.

What do they all share? They are foreign corporations with **no history** of being pono stewards of our ‘āina. They have diverted our streams while we are told to conserve water; degraded our soil with monocropping; and polluted our air with carcinogenic pesticides, even as our own ‘ohana live so close by.

Our lāhui deserves better. East Maui deserves better. Our ‘āina deserves far more than to be handed off to those who exploit it. The only path to restoring what has been lost is to return these resources to kānaka with generations of ‘ike, to mālama this wai and ‘āina properly. This is the only long-term plan that I hope to see during my lifetime.

Please **reject** the staff proposal to move forward with the process for a long-term lease to Mahi Pono, and instead 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,

Leo Nahe Smith
Wai‘ehu, Maui

From: [Anuheha Vida](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 8:44:00 AM

Testimony

Dear Chair Chang and Members of the Land Board,

My name is Anuheha Vida 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,

Anuheia Vida

From: [Kano Watanabe](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Friday, November 14, 2025 8:37:14 AM

Dear Chair Chang and Members of the Land Board,

My name is Kano 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,

Kano Watanabe

From: [Princeton Yamaguchi](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Do NOT lease water rights to MAHI PONO
Date: Friday, November 14, 2025 10:49:09 AM

My name is Princeton Yamaguchi I'm a native Hawaiian and Maui resident I strongly urge you NOT to accept staff recommendations to move forward with any process that contemplates giving MAHI PONO also known as PSP investments a long-term lease for East Maui streams.

DO THE RIGHT THING FOR THE PEOPLE NOT FOR THE MONEY

Thousands of citrus trees grown with synthetic pesticides and fertilizers does not help with food security. This type of agriculture, depletes water resources pollute the environment and leaves behind trash and pollution.

The negative impacts of stream diversion on the ecosystem are numerous.

- Native stream life declines: 'O'opu (native gobies), 'ōpae, and hihiwai rely on continuous mauka-to-makai flow; diversions disrupt their life cycles.
- Warmer, stagnant water: Reduced flow heats quickly in Hawai'i's sun, stressing native species and encouraging invasive fish and algae.
- Habitat loss: Streamside plants, native birds, and amphibians lose the moist, healthy riparian zones they depend on.
- Blocked migration: Many Hawaiian freshwater species must move upstream and downstream throughout their lives. Diversions and ditches stop this movement.

On the Ocean & Nearshore Waters

- Weakened estuaries: Heavily diverted streams reduce freshwater reaching the ocean, harming fish nurseries and limu beds.
- Limu decline: Many limu depend on the balance between freshwater and saltwater. Less stream flow can kill native limu and favor invasives.
- Coral stress: Changes in salinity and reduced natural sediment flow can weaken nearshore reefs already stressed by warming and runoff.
- Loss of cultural resources: Lower stream flow affects gathering of native

species and impacts traditional practices like loi kalo (taro patches) and loko i‘a (fishpond) health.