

From: [Taylor Atienza](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Written Testimony, Agenda Item D-10
Date: Thursday, November 13, 2025 9:22:30 PM

To Board Chair Chang and the members of the Land Board,

I ask that you please stand with the people of Maui and reject any lease proposal submitted by Mahi Pono/PSP Investments.

Resources should be managed by and for community. In 2022, Maui voters decided that water management should be in the hands of East Maui Community Water Authority, not corporate interests.

As a farmer whose life's work is sustained by the wai, I strongly oppose any lease proposal that puts profit over people. This story of exploitation and extraction has been repeated many times in our world's history - it cannot be allowed to continue.

Mahalo nui,
Taylor Atienza

Aloha e Dawn Chang and members of the board,

My name is Katie Austin, and I am testifying on my own behalf as a Lahaina community member and resident of Honokōhau Valley in strong opposition to Agenda Item D10 and the proposed initiation of a contested case between Mahi Pono and the East Maui Water Authority.

As someone who lives with the daily realities of West Maui's water struggles, I am deeply concerned by this preemptive move toward a contested case. For generations, Maui has endured inequitable water management. Only in recent years through the hard work of community advocates and the overwhelming support of voters, have we begun to restore balance through locally led stewardship. The East Maui Water Authority exists because the people of Maui demanded that our water be managed by those most connected to and dependent on it.

A contested case would silence community voices, delay progress, and undermine the very intent of the charter amendment that created the Authority. It would replace collaboration with litigation and substitute transparency with procedural walls. I ask this Board to remember that you are legally bound under the Public Trust Doctrine to protect and uphold water as a resource held in trust for the benefit of the people. Advancing a contested case in this context not only disregards the will of the community, it contradicts the spirit and intent of that doctrine itself.

I have full confidence East Maui Water Authority and Mahi Pono can come to mutual agreement through open dialogue and accountability, rather than adversarial process. Our island's water future depends on cooperation, not conflict. I urge you to uphold the will of the people and the public trust you are sworn to protect.

Mahalo for the opportunity to testify and for your continued consideration of the voices of Maui's people.

Katie Austin

From: tom@rainbowridgewest.com
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] NO on Agenda Item D-10 East Maui Water Lease
Date: Thursday, November 13, 2025 5:13:59 PM

To: blnr.testimony@hawaii.gov

Subject: Testimony on Agenda Item D-10

Message (be sure to include a request to testify via Zoom, if you wish to testify verbally as well):

Dear Chair Chang and Members of the Land Board,

My name is Thomas (Tom) Bacon 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:

0. In the 13 years I have lived in Nāhiku, I have seen the streams dry up from climate change. Streams that flowed regularly from torrential downpours are usually dry now that the rains have diminished. Hawaii needs to keep control of its resources even more now that the future is far less certain than we had thought.

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,

4. The Hawaii Constitution Article XI states that all public natural resources are held in trust by the state for the benefit of present and future generations. As a foreign (non-Hawaiian) investment company, PSP Investments (Mahi Pono) is does not focus on the benefit of Hawaiian generations. Look at their website ... the focus is on investments and performance. There is not a word addressing the need to manage natural resources for the benefit of anyone besides their members. Giving the management of these resources to PSP Investments is not consistent with Article XI of the state constitution.

5. It is mentioned in the boilerplate above, but it bears emphasizing that Mahi Pono is doing little to benefit most Hawaiians by growing citrus orchards, water hungry watermelon and a token amount of crops that grow well in our unique environment Hawaiians live on.

Thomas Bacon

From: [joy.b](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 7:15:01 PM

Dear Chair Chang and Members of the Land Board,

My name is Joy 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,

Joy Bowen
PO Box 790716
Paia HI 96779

From: [Linda Clark](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Agenda item D10
Date: Thursday, November 13, 2025 8:26:32 PM

Aloha Chair Chang and Members of the Board,

My name is Linda A. Hai Clark a descendant 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.

Mahalo,
Linda A. Hai Clark
Clarkl004@gmail.com
808-268-9844



November 13, 2025

Via Electronic Mail

Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl St.
Honolulu, Hawai'i 96813
blnr.testimony@hawaii.gov

Re: Agenda 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 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 e Chair Chang and Members of the board,

Earthjustice submits this testimony to urge the Board of Land and Natural Resources ("board") to defer agenda item D-10 until the board complies with Hawai'i Revised Statutes ("HRS") § 171-4(b) and includes at least one member with experience in conservation and natural resources.¹ Without fulfilling this prerequisite, this board's decisions are unlawful and invalid. This board must prioritize ensuring the composition of its members complies with the law before making major, long-term decisions that affect our precious public trust resources like Maui Hikina stream flows.

Section 171-4(b) requires the board have at least one member with a background in conservation and natural resources, as evidenced by "[a] college degree in a relevant field" or "[w]ork history sufficient to demonstrate an appropriate level of knowledge in the subject of land and natural resources." *Id.* The legislature included this requirement recognizing the "specialized subject area" that this board oversees. S. Stand. Comm. Rep. No. 17, in 2005 Senate Journal. As the primary public trustee tasked with the control and protection of Hawai'i's public lands, *see* HRS § 171-1, a board member with a conservation and natural resources background is vital for ensuring that the board's decisions fulfill its public trust duties. A

¹ Attached to this testimony is Earthjustice's November 13, 2025 Letter to Governor Green and BLNR regarding the governor's failure to appoint a board member with a background in conservation and natural resources to the board.

decision regarding water usage in Maui Hikina would be premature, uninformed, and unlawful without a member with the legally mandated conservation and natural resources expertise.

Additionally, the board is not fulfilling its public trust duties in rushing to decide this matter amidst the ongoing drought in Maui Hikina and against extensive community opposition. In 2022, Maui County voted to establish the community based ‘Aha Wai o Maui Hikina to take over the long-term administration of Maui Hikina streams.² With the support of the county of Maui and the community, this ‘aha has been preparing to accept this kuleana—yet, this board has not taken steps to allow this ‘aha to administer East Maui’s diversion infrastructure. Furthermore, the board is taking steps toward issuing a long-term lease for Maui Hikina waters before the completion of stream restoration ordered by the Commission on Water Resource Management in 2018.³ The reality is, Maui Hikina is facing a historic drought and has suffered from overextraction of water resources for far too long, and there is no indication that conditions will stabilize in the near future. This board has the duty to take steps that prevent and stop misuse that would exacerbate historic injustice and ongoing drought.

We urge this board to do the right thing for Maui Hikina and all of Hawai‘i’s public trust resources—defer deciding agenda item D-10 until the board has the lawfully mandated member with conservation and natural resources expertise, and work with ‘Aha Wai o Maui Hikina on the best path forward for the waters of Maui Hikina. Mahalo nui for this opportunity to testify.

Sincerely,

/s/ Harley M. Broyles

HARLEY M. BROYLES

EARTHJUSTICE

² Marina Starleaf Riker, *Maui Voters Created New Community Water Authorities, Here’s What Happens Next*, Civil Beat (Dec. 16, 2022) <https://www.civilbeat.org/2022/12/maui-voters-created-new-community-water-authorities-heres-what-happens-next/> (last visited Nov. 13, 2025).

³ Khon 2 News, *Landmark decision restores flow in 10 Maui streams after more than a century*, (June 20, 2018) <https://www.khon2.com/news/landmark-decision-restores-flow-in-10-maui-streams-after-more-than-a-century/> (last visited Nov. 13, 2025).



November 13, 2025

Via Electronic Mail

The Honorable Josh Green
Governor, State of Hawai'i
Executive Chambers
State Capitol
415 South Beretania St.
Honolulu, Hawai'i 96813
<https://governor.hawaii.gov/contact-us/contact-the-governor/>

Dawn Chang
Chair, Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl St.
Honolulu, Hawai'i 96813
dlnr@hawaii.gov

Re: Failure to Appoint a Board Member with a Background in Conservation and Natural Resources to the Board of Land and Natural Resources

Aloha e Governor Green and Chair Chang:

By this letter, we are reaching out to convey our concern that the Board of Land Natural Resources (the "Board") currently lacks a member with the prescribed background in conservation and natural resources, as legally mandated by Hawai'i Revised Statutes ("HRS") § 171-4(b). Earthjustice has decades of practice and experience before the Board as counsel for communities from across the islands seeking to protect Hawai'i's public lands and natural resources. In this capacity, **we urge the administration to immediately appoint a Board member with the required conservation and natural resources background under HRS § 171-4(b).** This prompt corrective action is essential to comply with the law, avoid legal problems with the validity of the Board's actions and decisions, and maintain public faith and confidence in the Board's governance.

HRS § 171-4(b) expressly mandates that the Board must have at least one member with a background in conservation and natural resources, as evidenced by:

- (1) A college degree in a relevant field, including forestry, wildlife conservation, geology, environmental science, or marine biology; or

- (2) Work history sufficient to demonstrate an appropriate level of knowledge in the subject of land and natural resources, including parks and recreation, public lands management, natural area reserves, aquatic resources, boating and recreation, forestry and wildlife, water resources management, or conservation and resources.

Id. The Legislature enacted this requirement after finding a lack of any express provision that BLNR have a member with a background in the Board's "specialized subject area." S. Stand. Comm. Rep. No. 17, in 2005 Senate Journal. The Legislature thus amended the law specifically to "provide requirements for at least one member of the Board of Land and Natural Resources to have a background in the board's subject area." *Id.* This legislative directive aligns with Hawai'i's constitutional public trust mandate that the State "conserve and protect Hawai'i's natural beauty and all natural resources, including land." Haw. Const. art. XI § 1. As the primary public trustee tasked with the control and protection of Hawai'i's public lands, *see* HRS § 171-1, a Board member with a conservation and natural resources background is vital for ensuring that Board decisions fulfill its public trust duties.

Neither of the Governor's two recently nominated candidates to the Board, who have yet to be confirmed by the Senate, nor any of the other current members, have a college degree in a relevant field or work history sufficient to demonstrate knowledge in the subject of land and natural resources. While former Board member Aimee Barnes previously fulfilled this required background in conservation and natural resources, since the end of her term on August 18, 2025, the Board has lacked a member with the required qualifications.¹ The Board is thus currently not in compliance with the legislative directive that the Board make its decisions with the benefit and insight of a member with the knowledge of the Board's dedicated subject area.

The Governor's duty to make appointments that ensure that the Board includes a member with a conservation and natural resources background is non-discretionary, as established by the law's use of the mandatory term "shall."² Interpreting similar statutory language governing appointments to the Board of Regents, the Hawai'i Supreme Court held that appointment is a "nondiscretionary duty [that] can be compelled by mandamus

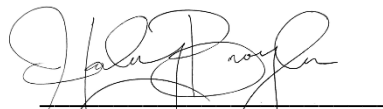
¹ Kaiwi Yoon serves as the board member with expertise in native Hawaiian traditional and customary practices, which is a separate designated representative in addition to the member with conservation and natural resources expertise. *See* HRS § 171-4(c).

² The relevant language provides, "The board of land and natural resources *shall* be composed of seven members . . . to be nominated and, by and with the advice and consent of the senate, appointed by the governor as provided in [HRS] section 26-34. . . . At least one member of the board *shall* have a background in conservation and natural resources." HRS § 171-4(a), (b) (emphasis added).

notwithstanding the absence of a stated time limit” in the applicable statute.³ Of even further concern, Board decisions made without a member with the required background in the Board’s specialized subject area raise ongoing questions about the validity and legality of those decisions. Prompt action by the administration to withdraw at least one of the unconfirmed interim appointees and appoint a candidate who meets the requirement is necessary to ensure Board decisions are legally compliant and valid, and to foster more collaborative and constructive relationships with key constituencies whose ways of life depend on the pono management of Hawai’i’s land and natural resources.

Thank you in advance for considering and following up on this request to immediately appoint a qualified candidate to the Board’s conservation and natural resources member seat. Please do not hesitate to reach out to us if you have any questions or are open to any dialogue and input on this important matter of Board qualifications and governance.

Sincerely,

A handwritten signature in black ink, appearing to read "Harley M. Broyles", written over a horizontal line.

Harley M. Broyles
Associate Attorney
EARTHJUSTICE

cc: Brooke Wilson (brooke.wilson@hawaii.gov)

Will Kane (will.kane@hawaii.gov)

Department of the Attorney General for the State of Hawai’i (hawaiiag@hawaii.gov)

Senators for the State of Hawai’i (sens@capitol.hawaii.gov)

³ *Hanabusa v. Lingle*, 119 Hawai’i 341, 350–51, 198 P.3d 604, 613–14 (2008).

From: [Jordan](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 7:40:23 PM

Dear Chair Chang and Members of the Land Board,

My name is Jordan Hocker 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,

Jordan Hocker

From: [Kalei Huihui](#)
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 5:28:00 PM

Aloha Chair Chang and members of the Board,

My name is Kalei Huihui, and I have family pilina and connections on Maui and Oahu. I have been a DHHL beneficiary on the waitlist for 35 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.

My position is based on the following key points:

- **DHHL Beneficiary Rights:**
As a beneficiary of the Hawaiian Homes Commission Act, I am directly impacted by every decision concerning East Maui water and the East Maui Irrigation System.
- **Legal Requirement:**
Under state law, **DHHL's water reservation request must be granted before any long-term water lease is issued.** Moving forward without doing so would violate DHHL's trust obligations and harm Native Hawaiian beneficiaries.
- **Protection of Native Hawaiian Water Rights:**
East Maui water is vital for Native Hawaiian homesteads, farming, cultural practices, and the survival of our communities across Maui. These rights must come before private or commercial interests.
- **Fiduciary and Moral Responsibility:**
Ensuring water access for DHHL beneficiaries is not only a legal duty but a matter of justice, kuleana, and stewardship of 'āina entrusted to future generations.

For these reasons, I strongly urge the Board to reject the staff recommendation until DHHL's water reservation is secured and Native Hawaiian rights are fully protected.

Mahalo nui.

~Kalei H.

From: [Kendra Hunter](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] East Maui Streams
Date: Thursday, November 13, 2025 7:05:20 PM

My name is Kendra Hunter and I urge you to not accept the DLNR staff recommendation to move forward with any process that contemplates giving Mahi Pono a long term lease of our East Maui streams. I have lived in Haiku for twenty years.

Why hasn't the court-ordered restoration of stream flow to East Maui streams, not been implemented? It was ordered three years ago.

Why hasn't Mahi Pono shown good faith to Maui's residents and used lined reservoirs?

I urge you not to prioritize a company, that does not care about the waste of millions of gallons of diverted stream waters. They are not a good fit for Maui. They falsely use Pono in their name.

I'm directly affected by the diversion of our waters. We had to cover up our food beds and pull up the plants because we didn't have enough water to go around. I pray you will listen to the will of the people and not a Canadian company.

I want 'Aha Wai o Maui Hikina' to have a say in what happens to our lands and waters. They care about the people who live here. Does the DLNR care about us? What is the department's priorities and kuleana?

Thank you for hearing my very real concerns.

Sincerely, Kendra Hunter

From: [Lani Kaina](#)
To: [DLNR,BLNR,Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 5:22:15 PM

Dear Chair Chang and Members of the Land Board,

My name is Lani Kaina 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,

Lani Kaina

Sent from my iPad

From: [Reccie Keawe](#)
To: [DLNR.BLNR.Testimony](#)
Cc: [Robin Newhouse](#)
Subject: [EXTERNAL] Reject BLNR Proposal for Long-Term Water License in Maui Hikina
Date: Thursday, November 13, 2025 8:39:04 PM

Aloha Chair Chang and members of the Board,

My name is Reccie Keawe, a Maui native, who is currently on the DHHL wait list for the same mokupuni. 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,

Reccie Keawe

From: [Emalani Kekauoha-Schultz](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:00:15 PM

Dear Chair Chang and Members of the Land Board,

My name is Emalani Kekauoha-Schultz 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,

Emalani Kekauoha-Schultz

To: blnr.testimony@hawaii.gov

Subject: Testimony on Agenda Item D-10

Dear Chair Chang and Members of the Land Board,

My name is Bella Kamakali‘ulani Kuailani and I am from the districts of Hāna and Wailuku on Maui. I am testifying to strongly oppose giving Mahi Pono, or PSP Investments, a long-term lease for East Maui's streams.

My family lineage is rooted in Maui Hikina, an area where wai is abundant, valued, and is the center of identity to its people. For more than a century, the people of East Maui, including my kūpuna, have watched their streams diverted, their ‘āina damaged, and their ability to perpetuate traditional and cultural practices restricted. This lease threatens to continue that injustice for another three decades. It is hewa to give control of our natural resources to private entities, especially foreign corporations with little accountability to the community, native Hawaiian rights, and the well-being of the land.

I must remind you that water is a public trust! Wai is to be used for the benefit of the people, and not for those who abuse it for profit. Allowing Mahi Pono to gain this lease will go against the Land Board’s mission to safeguard Hawai‘i's natural and cultural resources.

Still, there are long-standing water violations that have been ignored. The Water Commission’s orders to restore stream flow in several areas have not been resolved, and many streams continue to run dry. Millions of gallons of water are still being lost every day through unlined reservoirs that Mahi Pono and PSP Investments have refused to fix. Also, a court has required a case hearing that regards how diversions affect the watershed, native species, and Hawaiian rights—but that process has still not taken place. These are urgent issues that deserve immediate attention.

Before even thinking about granting a 30-year lease to a foreign company, the Board should first ensure these basic responsibilities are met. The health of the ‘āina, the security of wai, the rights of Hawaiians, and the future of our environment must come first. Ola ka ‘āina iā kākou no kākou. Make ka ‘āina iā kākou no kākou. We must care for our natural resources not only to survive, but to thrive.

As a kanaka Hawai‘i and a member of the next generation, I understand what my kuleana is. It is to be a voice of the land, a caretaker of our resources, and a contributor to fulfill the needs of my community while carrying the diligence of my ancestors who fought these same battles. This struggle over wai needs to stop.

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,

Bella Kamakali'ulani Kuailani

From: [Brooke Lind](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 7:56:55 PM

Aloha Chair Ching and Members of the Land Board,

As a young kanaka of Maui I would like to share my strong opposition of any process that includes Mahi Pono a.k.a. PSP Investments and their interest in East Maui's streams. This proposal goes against the majority of the community of Maui and their votes for East Maui Community Water Authority to take care of this kuleana. Which is also supported by county administration. I urge you to please stop overseeing our community! It is absolutely absurd to let a foreign entity control our water! Enough already..

Aloha always and in all ways,
Brooke Lind

From: [Tiffany Lindsay](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 6:46:01 PM

Dear Chair Chang and Members of the Land Board,

My name is Tiffany M. Lindsay and I request you to NOT accept the staff recommendation to move forward with any process that gives Mahi (not) Pono, a.k.a PSP Investments, a long term lease for East Maui streams for the following reasons:

- 1) It is time to stop allowing foreign entities to continue to reach for corporate control over Maui's public trust resources.
- 2) It is time to stop drought denial! It is imperative for the future health and preservation of the natural beauty of Maui that we must strive for optimal health of the East Maui Streams. This means no more cancer causing pesticides being introduced into the waterways.
- 3) It is time to stop harming the local people, the flora and fauna and the wildlife who's lives literally depend on the streams flowing with natural health.
While I understand a need to share resources. We can share from our abundance. The way to have abundance is when the humans, land and the water are in harmony with each other.
- 4) I am completely against the use of crops that do not feed the people within the local area.
- 5.) Stop violating the will of the Maui County Voters who established the East Maui Community Water Authority to take over long term administration of East Maui streams.
- 6) We rely on the streams and natural rain cycles which are greatly affected when the waters are diverted, away from our gardens which feed our ohana and sometimes our neighbors and friends.

I have seen the wildlife go crazy searching for water, leading to fence damage and garden damage.

We had to completely stop our gardening this year due to water shortage. Many people in my area survive on water catchment thus the droughts and diversions have a direct impact.

Stop denying the connection between drought and diversion.
Please demonstrate the true meaning of Pono!

Thank you for receiving my written testimony.

Sincerely,
Tiffany M Lindsay year round Haiku resident.

Aloha Chair Chang and members of the Board,

My name is Manokalanipoemakanaokamalu Wailand Luke Taber and I am from Nanawale, Moku o Keawe. I am a mo'opuna of DHHL Beneficiaries that currently reside in Anahola and my mother is currently on the waitlist. Although I am only 16 years old, I'm very concerned about the future of our islands, especially Maui, as it is the land of my TutuLady, Mele Nahiolea Kaina Mano. 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,

Manokalanipoemakaokamalu Wailand Luke Taber

From: [Aubrey Ke'alo'hi Matsuura](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:54:49 PM

Dear Chair Chang and Members of the Land Board,

My name is Aubrey Matsuura 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. In addition I urge you to reflect on the wellbeing of our watershed, our ecosystems, as well as our communities who have been impacted by water diversions for generations and who have to tirelessly fight in order to maintain water in our 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.

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,
Aubrey Matsuura

From: [Keauhou Mitchell](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:23:01 PM

Dear Chair Chang and Members of the Land Board,

My name is Keauhou Mitchell-Aldan, and I urge you to NOT accept the staff recommendation to move forward with any process that allows Mahi Pono, a.k.a. PSP Investments, to continue holding or extend a long-term lease for East Maui's streams, for the following reasons:

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

In the 2022 elections, Maui voters created the East Maui Community Water Authority to manage East Maui's streams for the long-term, under a community-based model that prioritizes public trust responsibilities. This Authority has been diligently preparing to take on this kuleana with the full support of county leadership.

DLNR staff should be working toward a set-aside of East Maui diversion infrastructure to the Authority—not advancing a pathway for a foreign corporation to maintain private control over East Maui's public water resources.

2. This ignores urgent public trust issues that must come first.

The Land Board is responsible for protecting our natural and cultural resources, yet East Maui's streams still suffer from long-standing violations that must be addressed before any discussion of a long-term lease. These include:

- the non-implementation of Water Commission orders to restore streams that continue to run dry,
- the ongoing loss of millions of gallons per day from unlined reservoirs that Mahi Pono/PSP Investments has refused to line,
- and the court-ordered contested case hearing needed to address the immediate impacts to watershed health, native species, and Hawaiian rights for the upcoming 2026 revocable permit.

It is unacceptable to consider extending corporate control while these critical, unresolved issues continue to harm East Maui's streams and communities.

3. This denies the reality of worsening drought and climate instability.

Over the last five years, East Maui and the rest of Hawai‘i have experienced rapidly worsening drought conditions. There is no stability or reliable forecast showing improvement.

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 30—is irresponsible and dangerous. Mahi Pono/PSP Investments’ agricultural plans do not reflect climate realities and put Hawai‘i’s water security at risk.

Please do not divert state resources toward advancing the interests of a foreign corporation over the needs of the public, Native Hawaiian communities, and the long-term health of East Maui’s watersheds. I respectfully urge you to reject the staff proposal to move forward with any process for a long-term lease to PSP Investments/Mahi Pono. Instead, please direct staff to work with the East Maui Community Water Authority/‘Aha Wai o Maui Hikina to facilitate community-based administration of East Maui’s diversion infrastructure.

Mahalo nui,

Keauhou

From: [Jody](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 4:51:58 PM

Dear Chair Chang and Members of the Land Board,

My name is Jody Mountain, 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,

Jody Mountain



Jody Mountain
<http://www.LineageofLight.com>

November 13, 2025

Aloha e Chair Chang and Members of the Land Board,

My name is Kuuipo Naone. I submit written testimony under protest, without waiver, in the original jurisdiction of Ko‘olau Crown and Government lands and wai, humbly in honor and respect to Kūpuna and the foundation of Kapu and Kānāwai of Ko‘olau, Maui—recognized by reference.

For Item D-10, I respectfully ask you to decline any auction or private long-term lease and instead set aside the Ko‘olau areas to the County of Maui as administrator—not owner—to carry a community-led stewardship plan. Please recognize ‘Aha Wai o Maui Hikina as the Konohiki Council for the Ko‘olau District—including Wailua (Ko‘olau), Wailuanui, Wailuaiki, Ke‘anae, Honomanu, Waiohue, Nāhiku, and Honokalani—with clear non-waiver language so nothing here converts wai to property or alienates Crown/Government status.

This path is pono and practical, today:

- Continuity: Require a fair, non-discriminatory carriage (delivery) agreement with service standards, public reporting, audits, and step-in rights. If cooperation is refused, appoint an independent operator so no one loses service while documents are finalized.
- Source-to-sea monitoring in Ko‘olau: Install gauges at headwaters and above/at/below each diversion; publish a live public dashboard and complete annual independent audits.
- Priorities that heal: Health & safety; DHHL housing/projects; lo‘i kalo & cultural practice; stream life from mauka to makai—then other uses as available. Drought triggers cut exports first; emergency minima for firefighting and health always hold.
- Tools only if needed: If purchase of essential works fails, pursue **narrow eminent domain of hardware/access only—never the wai**—with just compensation and uninterrupted service.
- On-district hui: Finalize details within the Ko‘olau District before execution.

Access & Easements (to make D-10 workable):

- Record a non-exclusive, perpetual public-trust access easement over all diversion corridors, ditch roads, tunnels, reservoirs, gates, and gauge sites for the Konohiki Council, County/EMWA, DHHL, Independent Monitor/Auditors, and emergency services.
- Subordinate any conflicting private easement (including any EMI “perpetual easement”) so it cannot block inspection, monitoring, carriage, or restoration.
- Adopt a shared gate/lock protocol, file recorded maps within 90 days, publish a GIS layer, and include step-in rights (or an independent operator) if cooperation is refused—without waiver and

without converting wai to property.

- (A “perpetual access agreement” is an easement with no end date that grants access/use only, not ownership; it runs with the land and never conveys any right to the water.)

Acting today is fully within your own legal duties: Kalipi (traditional gathering rights), PASH (preserve customary practice), Ka Pa‘akai (identify, assess, and condition approvals), Waiahole (protect instream flows/Native rights; precautionary principle), Carmichael (HEPA review), and Sierra Club (2025) (contested case where required). You can adopt this set-aside and these conditions now, while any further process proceeds.

This decision honors Kapu and Kānāwai, respects matters before the courts, keeps stewardship with Ko‘olau families, and delivers reliable service for homes, DHHL, farmers, firefighters, and stream life—truthful, lawful, and obtainable now.

Mahalo nui.

Kuuipo Naone

Ko‘olau District, Maui

Email: kuuipo.naone@gmail.com

From: [Cali Kahiwaieiokalani Nāwa'akoa](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 9:54:03 PM

Dear Chair Chang and Members of the Land Board,

My name is Kahiwaiei Nāwa'akoa 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. Our eco systems were built in perfect balance when you harm one thing, like water flow everything is affected. All living things depend on that water meaning diversions lead to an imbalance in everything. This also affects the **native and local** families who are **generational and lineal** descendants to East Maui who are sustained by our natural **resources**. Mahi Pono Is a **Canadian** company who does not understand our culture, land, ect. I ask you to use your power to do right by our community & land and listen to the voices of those from east maui who have observed and lived on this land for generations. It is truly heartbreaking to see the streams **bone dry** smaller population of fish and dry landscape as well as seeing **native Hawaiian farmers** who provide for our communities not being able to farm or provide due to lack of water.

I ask you NOT accept the staff recommendation for 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, Cali Kahiwalei

From: [jordan.patterson](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:41:26 PM

Dear Chair Chang and Members of the Land Board,

My name is Jordan Patterson 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,

Jordan

Jordan C. Patterson

808.830.1169 Cell

jordancodypatterson@gmail.com

From: [Katelynn Pimentel](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] East Maui Water Redirection
Date: Thursday, November 13, 2025 6:38:39 PM

Aloha! I am Katelynn Pimentel. I have volunteered with Kupukupu Aina, Pa'upena, Ecology Project International, and Friends of Haleakala National Park. I remember a few years ago, visiting mauna kahalawai, the group I was volunteering for explained to us why the river was dry.. that golf courses and other entities redirected the water around the island. They stated many different reasons why this was a bad thing. I learned the word riparian. It means plants and trees growing around a riverbed; the ones near the river we worked near had no water to sop up. The ground was dry. We were restoring/working in the loi that they created. I also learned that the sediment won't be washed away and coral die from lack of sunlight where the rivers end.

Mahi Pono doesn't even pick their lemons, they label community garden when it's obviously closed off and has trespassing notices all around. Isn't there supposedly a new bill where other countries will not be able to purchase land here anymore???

My husband Lopaka De Lima actually was saying there should be maybe quarter acre lots in this central land to place houses where homeless people could get a land deed and loan for tiny home building and pay property taxes every year for their new property.

From: [Kalaiku Pokini](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:38:45 PM

Dear Chair Chang and Members of the Land Board,

My name is Kalaiku Pokini 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,

Kalaiku Pokini

Sent from my iPhone

From: [Tash Porreca](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony
Date: Thursday, November 13, 2025 5:07:12 PM

Aloha,

Maui water, especially east, should be stewarded by THE PEOPLE, not greedy corporations. It's a crime what they're doing. The water needs to flow not just in east maui, but north south and west as well. I live lahaina side and theres so much water diversion, it's so dry over here from april-november. LET THE WATER FLOW. STOP ALLOWING SUCH PILAU BEHAVIOR.

Mahalo.

Best,
Tash

From: [Miki"ala Pua"a-Freitas](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda item D-10
Date: Thursday, November 13, 2025 7:46:04 PM

My name is Miki'ala Pua'a-Freitas, I urge you to REJECT the staff recommendations to give Mahi Pono a long term lease for East Maui's Rivers.

I am a kalo farmer from Waihe'e Maui and I know firsthand the struggles over water theft and greed by this corporations. Allowing this further perpetuations the trauma our people have endured for generations. Allow the kupa of East Maui to manage and decide how to best utilize this public trust resource.
E Ola I Ka Wai!

Mahalo nui,
Miki'ala

From: [Omar Ramirez](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 9:16:51 PM

Dear Chair Chang and Members of the Land Board,

My name is Omar Ramirez 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,

Omar Ramirez (he/him |they/them)

From: [Kortney Russell](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 7:30:49 PM

Dear Chair Chang and Members of the Land Board,

My name is Kortney Russell, 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,

Kortney Russell

Aloha Chair Chang and members of the Board,

My name is Theresa Keohunani Taber and I am from Nanawale, Moku o Keawe. I am a DHHL beneficiary currently on the waitlist. 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,
Theresa Keohunani Taber

From: [Tita Ani](#)
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 9:25:14 PM

November 12, 2025

Aloha Chair Chang and members of the Board,

My name is Wendy Waipa and I am from Moku o Keawe. I am on the waitlist for Hawaiian Homelands. 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**.

Me ka 'oia'i'o,

WMWaipa

From: [Chloe Waters](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 8:16:47 PM

Dear Chair Chang and Members of the Land Board,

My name is Chloe Waters 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,

Chloe Waters

From: [Sarah Woo](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 5:13:35 PM

Aloha Chair Change and Members of the Land Board,

I am writing to urge you to NOT accept the staff recommendation to move forward with any progress that contemplates giving Mahi Pono, aka PSP Investments, a long-term lease for East Maui's streams.

I am a Phd student in Natural Resources and Environmental Management at UH Mānoa, and my studies focus on community care of natural resources. Giving authority over fresh water resources to Mahi Pono is not wise decision because it places power in external places with external motivations and agendas, **rather** than placing power in local and Hawai'i stewardship. I ask you to consider - why should a foreign, out-of-state organization have Authority over **our** waters, here on Maui? Water as a public trust, and cultural resources, should be held in Hawai'i governance systems, not private out-of-state corporations.

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,

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

Mahalo nui,

Sarah Woo

--

Sarah Woo

UH Mānoa Natural Resources and Environmental Management PhD Student

Heʻeia National Estuarine Research Reserve

sarahwoo@hawaii.edu

From: [Eliza Akana Yoshida](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda Item D-10
Date: Thursday, November 13, 2025 7:53:30 PM

Dear Chair Chang and Members of the Land Board,

My name is Eliza Yoshida 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,

Eliza Yoshida