

From: [Shalei Eleneki](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony on Agenda D-15
Date: Thursday, December 11, 2025 5:31:03 PM

Dear Chair Chang and Members of the Land Board,

My name is Shalei Kekiwi-Eleneki. I am a lineal descendant of Ke'anae and Wailua Valley in East Maui. My 'ohana still farms wetland kalo and practices traditional gathering practices in the areas. I strongly urge you to recognize that the staff recommendation in this agenda item is critically flawed for several reasons.

Of the many issues with this agenda item, perhaps the most egregious is the proposal to allow Mahi Pono and East Maui Irrigation to take even more water than was taken from East Maui's streams last year. This board should not be giving Mahi Pono and East Maui Irrigation even more water - not when streams ordered restored by the Water Commission in 2022 continue to be drained dry. Not when Mahi Pono still refuses to line its century-old reservoirs after decades of water waste. Not when we do not understand the impacts of the diversion system on Makapipi stream. Not when the terms of the new revocable permit are unenforceable. And not when a standing court order specifically prohibits the board from doing so.

The diversion of more water from East Maui streams would be disastrous for East Maui ecosystems, including native plant and animal life, farmers, fishermen and gatherers. Allowing these corporations to take advantage of this precious natural resource and utilize it for their own profit and gain would leave East Maui without the most basic need - Wai.

Please consider this as you make your decision.

Mahalo nui,

Shalei Kekiwi-Eleneki

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

JOHN STUFFLEBEAN, P.E.
Director

JAMES A. LANDGRAF
Deputy Director



DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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December 12, 2025

Ms. Dawn N.S. Chang, Chairperson
State of Hawaii Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813

RE: Testimony on D-15: Issuance of Revocable Permit to Mahi Pono, LLC and East Maui Irrigation Company, LLC for the Development, Diversion, and Use of Surface Water for Diversified Agriculture, Currently Existing Historical Industrial and Non-Agricultural Uses, Reservoir, Fire Protection, Hydroelectric, and County of Maui Department of Water Supply and Kula Agricultural Park Purposes on the Island of Maui; 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,

Thank you for the opportunity to provide testimony on Agenda Item D-15. I offer this testimony in support of the issuance of a one-year revocable permit to Mahi Pono, LLC and East Maui Irrigation Company, LLC (EMI) for the continued development, diversion, and use of surface water in East Maui.

The Maui Department of Water Supply's (DWS') priority is to secure reliable and affordable operation and maintenance of the sources and conveyance system that provide adequate water supply for the Upcountry community while complying with all federal and state regulations.

Currently, the EMI delivers surface water from Wailoa Ditch and operates and maintains all surface water intakes, ditches, pipes, and other conveyance structures of

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the EMI system, including certain infrastructure owned by DWS. The Kamole Weir water treatment plant (WTP) processes water from Wailoa Ditch supplied by the Nāhiku, Ke‘anae, Honomanū and Huelo License Areas (License Areas). DWS receives the water for Kamole before any additional ditch flow is conveyed to Mahi Pono’s field system. The Pi‘iholo and the Olinda WTPs process water from the privately-owned Haiku Uka watershed outside the License Areas to serve Lower and Upper Kula. However, the Lower and Upper Kula regions rely on the Kamole Weir WTP to supplement surface water on a continuous basis, especially in droughts.

The DWS is mandated by the County Charter to implement the County’s general plan and community plan to meet planned growth on the DWS Upcountry system. The Maui Island Water Use and Development Plan (WUDP) and Makawao-Pukalani-Kula community plan objectives and policies seek expanded municipal withdrawals from the lowest cost source to serve the Upcountry community needs. Current reliable capacity for the Upcountry system is 9.71 million gallons per day (mgd) and 12-month moving average production totals 9.43 mgd from all sources serving the system. Current peak demand on the Upcountry system is about 10.1 mgd. Short term projected demand includes population growth at an average 0.24% annual increase, issued meter reservations and inactive meters converting to actual use, as well as remaining source credits for the Department of Hawaiian Homelands. By the end of 2027, demand is projected to be 10.1 mgd on an average basis, which represents 104.3% of the Upcountry system maximum reliable capacity.

As we have testified on November 8, 2024, DWS has commissioned installation of higher capacity membrane filters at the Kamole WTP to improve production capacity and we anticipate that the filter improvements will be taken into production in March 2026. The completion of a hydraulic model for the Upcountry system allows DWS to expedite engineering processing of meter priority list applications. These improvements along with an adequate allocation from Wailoa Ditch would allow DWS to improve reliable capacity and serve pent up demand on the system. To maintain sufficient supply for existing customers during drought, it’s critical that ditch flow can be pumped up to the Piiholo reservoir.

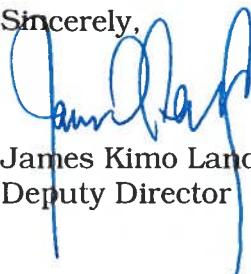
We therefore respectfully request that the Permittee of the one-year revocable permit will provide at a minimum 6 mgd, averaged monthly, for the Kamole WTP. We respectfully request an allocation of 0.5 mgd for the Kula Agricultural Park and that the County will be allowed to request an additional allocation during 2026. Planned expansion of the Kula Agricultural Park is projected to require about 2.5 mgd.

Board staff believes that limiting the allocation to 6.25 mgd *“incentivize the County to more efficiently use of the water diverted on its behalf such as expand storage capacity”*. Consistent with the 2022 WUDP’s strategy to expand water treatment capacity and develop storage based on available ditch flow, we have contracted and

commenced design of raw water reservoirs at Kamole. While additional storage will increase efficient use of the treatment plant, allowing withdrawals from storage at times when high turbidity precludes direct intake from the Waialoa Ditch, the reservoirs will not be constructed and in service during the revocable permit one-year period.

Mahalo for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Kimo Landgraf".

James Kimo Landgraf
Deputy Director

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