

From: [Robert Duerr](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Maui Water
Date: Friday, September 15, 2023 3:12:59 PM

Aloha

I support the Maui Komohana (West Maui) communities' defense of their freshwater resources at next week's [Water commission meeting](#) on Tuesday, September 13, 9am in Honolulu. Water water Wai Wai means wealth in Hawaii.

Robert Duerr
film/write

Albatross News
Senior Member Active
Outdoor Writers of America Association



From: [julie christine](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Friday, September 15, 2023 3:41:05 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Julie Shafer and I live in Kula. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Julie Shafer*

Sent from my iPhone

From: [Hilina'i Kane](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] False Water Rights
Date: Friday, September 15, 2023 4:37:51 PM

Aloha Chair and Commissioners,

My name is Hilina'ikamakanali'ili'i, and I reside in Kailua-Kona, Big Island. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

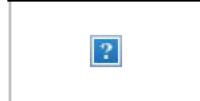
I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Hilina'ikamakanali'ili'i Kane

Hilina'i Kane
Producer
American Income Life
Honolulu, HI



From: [Brian Wittman](#)
To: [DLNR.CW.DLNRWWM](#)
Subject: [EXTERNAL] Agenda item C-1
Date: Friday, September 15, 2023 4:42:03 PM

Aloha Chair and Commissioners,

My name is Brian Wittman, and I reside in Huelo Maui. After years of advocating for an east Maui stream restoration, I am now addressing the West Maui water situation that has been brought to everyone's attention due to the Lahaina Fire Disaster. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

6...In addition, as the Lahaina Fire Disaster represents the final definitive end of the plantation era that saw the redirecting of West Maui streams from feeding Former Lahaina wetland, the Water Commission must begin the transformational work of restoring, reconciling, and redeveloping stream flow to support substantial green areas surrounding a rebuilt Lahaina Town. Non-irrigated former sugar fields overgrown with dry weeds provided the initial fuel for this disaster. Insufficient attention was paid to requiring Pioneer Mill/AmFac to restore natural waterways and alternative vegetation following their ceasing of operations. This must be rectified along with the reconstruction of Lahaina Town. My children have blood roots in Lahaina. They are descendants of Kalaniopuu from their mother's side, and the bones of their ancestors rest amongst the fresh ashes of all the recently lost souls.

Do the right thing!

Be Pono!!

Mahalo,
Brian Wittman
Huelo Maui

Sent from my iPhone

From: [REDACTED]
To: [Kaaa, Iwalani HR](#)
Cc: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony meeting 9/19 Agenda Item C-1
Date: Friday, September 15, 2023 4:59:15 PM

Aloha Chair and Commissioners,

My name is Julia Feldstein. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. The Commission on Water Resources Management should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management, unilaterally removed by Chair Dawn Chang without the full Commission's participation.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Julia Feldstein

Makawao

From: [Ann Wallace](#)
To: [Kaaa, Iwalani HR](#)
Cc: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Maui water
Date: Friday, September 15, 2023 5:23:48 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

*My name is **Ann Wallace** and I live in Kihei. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.*

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Ann Wallace*

From: [Jennifer Valentine](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Friday, September 15, 2023 5:34:36 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai, Jennifer Valentine

From: [Lauren Ballesteros](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] 9/19 Water Commission Meeting-Testimony on Agenda Item C-1
Date: Friday, September 15, 2023 7:29:21 PM

Aloha Chair and Commissioners,

My name is Lauren, and I reside in Honolulu. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in strong support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Lauren Ballesteros-Watanabe

Makiki, O'ahu

From: [Susan RobertsEmery](#)
To: [Kaaa, Iwalani HR](#)
Cc: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water commission meeting, written testimony on Agenda Item C-1
Date: Friday, September 15, 2023 9:37:42 PM

Aloha Chair and Commissioners,

My name is Susan RobertsEmery, and I reside on Hawai'i Island . I am writing this letter on behalf of the Green Party of Hawai'i . As one of the co chairs of the GPH we have been concerned with the water grabs , in West Maui, as well as poor land management by plantation owners for decades. We are concerned that false arguments by West Maui Land Co. (developers), that have allowed streams to dry up and invasive weeds to take over, are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. Enough is enough.

We are testifying in support of the following:

1. The Water Commission should reinstate the State Water Code of 1987. This will protect water for future generations and use Native Hawaiian land stewardship practices . The way forward is to become stewards of the land, Not Exploiters !
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management. Kaleo has done more to return water to the Hawaiian communities in his brief five years than anyone else has done in the past forty years.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area , which requires a permit to be issued to anyone mining water from West Maui.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Please respect the will of the people of Maui,

Mahalo nui,

Susan RobertsEmery

Co chair Green Party Hawai'i

Honoka'a, Hawai'i

Sent from my iPad

From: [Sven S.](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water rights
Date: Friday, September 15, 2023 10:31:51 PM

Aloha Chair and Commissioners,

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Sven Sorge

From: [Keala Fung](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Friday, September 15, 2023 11:10:58 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Keala Fung and I live in Honolulu. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Fresh clean water is the foundation of everything including life as we know it on earth. Kaleo Manuel is a champion of this and I support his work.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Mahalo,

Keala Fung

From: [Denise Lytle](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 1:40:49 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel. Although I live in NJ, I care deeply about the environment nationwide and globally.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Denise Lytle*

From: [craig clark](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comment
Date: Saturday, September 16, 2023 1:46:10 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

*My name is **Craig Clark** and I live in **New Jersey**. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.*

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Craig Clark

Sent from Gmail Mobile

From: [Dana Branum](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL]
Date: Saturday, September 16, 2023 6:41:11 AM

My name is Dana Branum, and I lived in Lahaina. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,
Dana Branum

From: [Hoku Chun](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 6:41:14 AM

Aloha Chair Chang and Members of the Commission on Water Resource Management,

My name is Jaime Hōkū Kubota Chun. I grew up in Lahaina and Upcountry Maui. I am writing in support of protecting and restoring the freshwater resources in Maui Komohana to ensure that there is enough water for the entire community.

Mahalo to the commission for your hard work in upholding your duty to mālama wai. I am especially grateful for the leadership of Kaleo Manuel. Mr. Manuel understands that water is a public trust and the needs of the community. I witnessed him engage with community members and he genuinely cares about their wellbeing. There is a history of mismanagement of freshwater resources in Hawai‘i and I believe that Mr. Manuel can help ensure that our freshwater resources are managed justly and fairly.

Respectfully, I ask that the commission: (1) uphold the Maui Komohana Water Management Area designation; (2) reinstate Kaleo Manuel as deputy director; and (3) implement the Water Code and manage our freshwater for the benefit of our community and future generations.

Mahalo piha,

Hōkū

From: [Dana Branum](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL]
Date: Saturday, September 16, 2023 6:42:18 AM

My name is Dana Branum, and I lived in Lahaina. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Dana Branum

From: [Breon Michel](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony to Water Commission
Date: Saturday, September 16, 2023 6:50:15 AM

Aloha Chair and Commissioners,

My name is Breon Michel, and I reside in Kailua Kona, but am a longtime resident of Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Breon Michel, Kailua Kona

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From: [Ben Emery](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water Commission Agenda Item C-1
Date: Saturday, September 16, 2023 7:23:20 AM

Aloha Chair and Commissioners,

My name is Benjamin Emery and live on a small-scale farm on the Hamakua Coast on Big Island. I am writing this letter out of concern for the people of not only Maui County but the entire State of Hawai'i. Water is life, no matter where on Earth we are talking about. Without access to clean water, there is no life. The mismanagement of Colonial business models for economic reasons, Lahaina, and all of the Hawaiian Islands have been abused for over a century, which directly led to the devastation of the recent fires. The false arguments by West Maui Land Co. (developers), that have allowed streams to dry up and invasive weeds to take over, are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. To promote the idea of more of the same is not progress, it is a form of feudalism that is leaving the residents, especially the Kanaka no place they can call home.

End the tourist and land-based economic models, and start practicing the ideals of devolution and bringing the aina back to the abundant life it once was before economics in its backward prioritization destroys more of this unique paradise in the middle of the Pacific forever.

I am testifying in support of the following:

1. The Water Commission should reinstate the State Water Code of 1987. This will protect water for future generations and use Native Hawaiian land stewardship practices. The way forward is to become stewards of the land, Not Exploiters!
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management. Kaleo has done more to return water to the Hawaiian communities in his brief five years than anyone else has done in the past forty years.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area , which requires a permit to be issued to anyone mining water from West Maui.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Please respect the will of the people of Maui,

Mahalo nui,

Benjamin Emery

Green Party of Hawai'i Member

From: [Pete Wilson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL]
Date: Saturday, September 16, 2023 8:34:49 AM

*My name is Peter Wilson and I live in **Pahoa on the Big Island**. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.*

Water is the life blood of existence and the ways that the colonialists have appropriated the water for their own greedy interests has been a travesty of white greed for generations. Free the islands of this colonialist legacy by stopping and eliminating the land and water grabbers legacy of greed and anti social water hoarding. Let the rivers flow free and the people use what falls from the sky.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Pete Wilson*

--

Pete Wilson

[REDACTED]
Pahoa HI 96778
[REDACTED]

From: [Boisvert-Jorgensen](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 9:11:30 AM

Aloha,

This is testimony in support of upholding the Maui Komohana Water Management Area designation.

Please ensure that the updated interim instream flow standards for West Maui are met and kindly reinstate Kaleo Manuel as Deputy Director.

The days of the **Big Five** may be over, but sometimes it seems like we are living in the days of the **Big One**. Corporate and developer water-hogging greed hurts local farmers, and this must finally, after almost two centuries, be stopped.

Farmers of small family-owned farms are struggling to provide healthful, homegrown, nutritional food for themselves as well as for residents of other islands, and they can't do it without water!

Mahalo for your understanding and consideration,
Denise Boisvert
Honolulu

From: [Waikiki - Hawaii Condo](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 9:27:32 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

Why do small farms have to beg and fight for water from the streams that would normally flow through their land, but for decades those streams have been allowed to be diverted for corporate plantations and luxury developments?

I'm submitting testimony to ask that your commission uphold the Maui Komohana Water Management Area designation and to ensure that the updated interim instream flow standards for West Maui are met. Kaleo Manuel should also be reinstated as deputy director.

I may be a resident of Honolulu, but the right to water is universal, and the small farmers on Maui have suffered enough from corporate greed.

Mahalo,
Kim Jorgensen

From: [Kaila Wilkinson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Saturday, September 16, 2023 9:50:39 AM

Aloha Chair and Commissioners,

My name is Kaila Wilkinson, and I reside in Honolulu, however, I was born and raised in Lahaina. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future. I would also like to add that we need to consider the water necessary for restoring Mokuhinia, please listen to the voices of Lahaina Ohana.

Mahalo,

Kaila Wilkinson

From: [Regina Gregory](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Sept. 19 agenda item C1 comments
Date: Saturday, September 16, 2023 11:05:09 AM

Please uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; and reinstate Kaleo Manuel as deputy director.

Also, in considering water allocations, please consider real value as opposed to monetary value (e.g. a golf course is not worth more than a taro patch).

Regina Gregory
Honolulu

From: [Misha Lococo](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL]
Date: Saturday, September 16, 2023 11:26:03 AM

Aloha Chair and Commissioners,

My name is Misha Lococo and I currently reside in Makawao, Maui.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,
Misha Lococo

From: [Illona Honig](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for Water Code
Date: Saturday, September 16, 2023 12:13:43 PM

Aloha Commissioner,

I am writing to you to encourage you to follow the water codes that have been set forth by the state of Hawaii, and that would mean that you look very closely at what you are allowing private corporations to use while our stream beds go dry. The waters of Hawaii are in danger from the pollution and everything else that has come out recently regarding the private usage of water more than ever your good decisions are what will help protect the life of the land in the water that we have.that we use for our lives and our children's lives the precious gift of water. Please I encourage you to follow state codes that are in place to protect this vital resource. I call upon all of the commissioners to take a look at your job descriptions and to protect the lands by fair distribution of water permits and to follow up with all large corporations that they have not disregarded their permit usage and taken more then is allotted to them. You as a commissioner are in a position of trust that all the people of Hawaii look to you for not only fair decisions but decisions that support equal use of water for everyone make a good decision that supports the water for generations to come.

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo, Illona Ilae Honig [Sent from the all new AOL app for iOS](#)

From: [Michael Peden](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony for the Water Commission meeting this coming Tuesday, 9/19/23 at 9am in Oahu
Date: Saturday, September 16, 2023 12:59:19 PM
Attachments:

Honorable Chair and Commissioners,

Warmest greetings! My name is Michael Peden, proud resident of Lahaina. I write to express my deep concern regarding the dissemination of false arguments by West Maui Land Co. To protect the integrity of our water rights and honor the efforts of our community advocates, we must address this misinformation promptly.

I stand firmly in support of the following measures:


1. Upholding the State Water Code by the Water Commission to ensure equitable sharing of public trust water resources, particularly for Native Hawaiian water rights.
2. Urging Chair Dawn Chang to reinstate Kaleo Manuel as the Deputy Director of the Commission, recognizing his valuable contributions.
3. Mandating that the Water Commission conducts a thorough verification of West Maui Land Co.'s compliance with instream flow standards, while holding corporate interests accountable for their actions.
4. Respecting the existing designation of Maui Komohana Water Management Area, which safeguards our precious water resources.
5. Prioritizing the inclusion and involvement of Maui Kama'āina in decisions that shape their future, with a call for the Water Commission to conduct their upcoming meeting on Maui, allowing direct engagement with those affected by their deliberations.

Mahalo for your attention to these vital matters.

Sincerely,



Michael D. Peden
President & Founder
Valley Global



Sept 15, 2023

Melissa Chimera

[REDACTED]
Honoka`a, HI 96727

Dawn Chang, Chair
Department of Land and Natural Resources
and
'Iwalani Kaaa, Commission Secretary
Commission on Water Resource Management (CWRM)

Dear Chair Chang and Secretary Kaaa,

I am a conservationist and former statewide land manager for the Hawai`i Army National Guard, former interim director of the Nature Conservancy Maui and Lāna`i programs, volunteer coordinator for Haleakalā National Park, and presently work in wildfire science communication with the University of Hawai`i and the Hawai`i Wildfire Management Organization.

I have worked since 1996 in land conservation, land restoration, endangered species protection, wildfire risk reduction. I lived and worked on Maui for 16 years helping to conserve many of the mauka forested places above the current impact zones of the Kula and Lāhaina fires. (We moved to my dad's place here in Hāmākua 5 years ago, and retain deep ties to the lives and lands on Maui.) The places I have worked include the 5,000+ acre Waikamoi Preserve (on East Maui), and across the West Maui Watershed (Mauna Kahalawai) at Kapunakea Preserve, Wahikuli, Kahoma, and elsewhere.

I write to you my personal and professional observations (not on behalf of any of my current or former employers) to implore you to consider the hazards of setting aside the Maui Komohana Water Management Area designations. These were hard won, necessary designations to replenish the aquifer, as well as important aquatic organisms, as well as traditional and customary farming practices which would green and provide food for Maui Komohana residents at risk of food insecurity and wildfire.

It is profoundly disheartening to hear about the suspension of Maui Komohana's important water management designation (and re-assignment of Kaleo Manuel) in favor of a fiction that points the blame of "not enough water to fight fire or build houses" at subsistence farmers. We all know who the primary consumers of water in Maui Komohana are. They are not those whose portions of streams have, up until recently, historically run dry.

Please reinstate both the Maui Komohana Water Management Area and Kaleo Manuel to the CWRM.

With aloha,



Melissa Chimera

From: [Rebecca Sharad](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water Protection
Date: Saturday, September 16, 2023 1:12:19 PM

Aloha Chair and Commissioners,

My name is Rebecca Sharad, and I reside in Haiku, Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Rebecca Sharad, Haiku, Maui

From: [Kristine Donayri](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Testimony
Date: Saturday, September 16, 2023 1:51:18 PM

Aloha Chair and Commissioners,

My name is Kristine, and I reside on Kaua'i. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Kristine Donayri

From: [Kelsey Long](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Written Testimony to Water Commission
Date: Saturday, September 16, 2023 1:55:26 PM

Aloha Chair and Commissioners,

My name is Kelsey, and I reside in Durant, Oklahoma. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Kelsey Long (she/her)
Durant, Oklahoma

“Run LONG”

Rising Hearts Athlete Advocate

Renew Earth Running team

Dirtbags Run co-founder

From: [Marion McHenry](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water Commission item C-1
Date: Saturday, September 16, 2023 2:18:10 PM

Aloha Chair and Commissioners,

My name is Marion McHenry, and I reside in Princeville, Kauai. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Marion McHenry

From: [arista.sather](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] water rights
Date: Saturday, September 16, 2023 2:37:03 PM

Aloha Chair and Commissioners,

My name is Arista Sather, and I reside in Wailuku.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kale Manuel as the Deputy Director of the Commission
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Arista Sather

From: [Mauliola Cook](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Agenda Item C-1
Date: Saturday, September 16, 2023 2:49:39 PM

9/15/23

Kilauea, Kauai

To: Water Commission

Re: Agenda item C-1

Aloha Comissioners

My name is Maui Ola Cook (legally Christine Cook). I have been residing on Kauai for the last 40 years.

I am deeply concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management. I am particularly adamant about this issue having witnessed first-hand the excellence of Kaleo's work. As well as having heard from Kanaka Maoli leaders like Walter Ritte on Moloka'i and Høkuao Pellegrino in West Maui testifying to Kaleo's excellence and dedication.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and the Water Commission should re-center Maui Kama'āina in the decisions about their future.

This last point is critically important. We are blessed to have dynamic, educated, intelligent, community minded leaders on Maui. Now, in this time of trauma, it is especially important that we turn to our local leaders to help design the future that Maui deserves. Water plays a very important role in Maui's future. E ola i ka wai!

Mahalo,

Mauli Ola Cook

(aka Christine Cook)

Kilauea, Kaua'i

From: [Michiko Smith](#)
To: iwalani.hr.kaaaa@hawaii.gov; [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] C-1
Date: Saturday, September 16, 2023 2:57:22 PM

Aloha, Chair and Commissioner,

My name is Michiko Smith, and I'm from Lahaina. The water management in Lahaina is poor. Poor for the environment and poor for the people. We should be working responsibly toward longevity for water resources, but we are not. Greed has control of our water resources, and many have died because of this mismanagement. Community members should restore our water rights because small farmers are Hawai'i, not big corporations like West Maui Land Co.

I testify in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your choices.

We are the ones who lived in Lahaina, and we will continue to fight for our place. We hope to gain something we once had before plantation days. We want proper respect for Lahaina's culture. We want our ridges and valleys nurtured and thriving. We want less life threatening scenarios. And that all can happen if we bring the wai back to Lahaina.

Mahalo,
Michiko Smith

From: [Jennifer"s](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water Commission Meeting.
Date: Saturday, September 16, 2023 3:35:49 PM

Aloha Chair and Commissioners, My name is Jennifer Starr and I reside in Lahaina, HI.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Jennifer Starr
Lahaina, HI

Sent from my iPhone

From: [Lynn T. Keahi](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Testimony for 9/19/23 Water Commission Meeting
Date: Saturday, September 16, 2023 3:50:00 PM

SUBMITTED VIA EMAIL -

RE: Agenda Item C-1
Water Commission Meeting, 9/19/23 @ 9am, O'ahu

Aloha Chair and Commissioners,

My name is Lynn Keahi, and I reside in Wailuku, Maui, Hawai'i. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights;
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission;
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable;
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area;
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by the Water Commission, and State of Hawai'i decisions.

Mahalo,
Lynn Keahi of Wailuku, Maui, Hawai'i

From: [elena arinaga](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony
Date: Saturday, September 16, 2023 5:51:28 PM

Aloha Chair and Commissioners,

My name is Elena Arinaga, and I reside in Kaimuki. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Elena Arinaga
Kaimuki

From: [Kendra Bean](#)
To: [DLNR.CW.DLNRWWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water Rights
Date: Saturday, September 16, 2023 6:39:27 PM

Aloha Chair and Commissioners,

My name is Kendra, and I reside in Waiehu. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Kendra

Waiehu, Maui

From: myriam.haynal
To: DLNR.CW.DLNR.CWRM
Subject: [EXTERNAL] Testimony meeting 9/19 Agenda Item C-1
Date: Saturday, September 16, 2023 9:11:24 PM

Aloha Chair and Commissioners,

My name is Myriam Haynal. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. The Commission on Water Resources Management should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management, unilaterally removed by Chair Dawn Chang without the full Commission's participation.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Myriam Haynal

Makawao

From: [Phyllis Raquinio](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for 9/19/23 Water Commission Meeting
Date: Saturday, September 16, 2023 9:28:17 PM

Aloha e Chair and Commissioners,

My name is Phyllis Raquinio, and I was born and raised in Kahului, Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

Growing up on Maui, I would go to Lāhainā for school activities and with loved ones during the weekends and breaks. My mother also works as a housekeeper at a hotel in Kā'anapali, and during the fires, she was stuck on the west side and we lost contact with her for almost 3 days.

As many know, Lāhainā used to be wetlands before water was diverted and wasn't meant to be this dry. The continued diversion of natural water streams over the decades has undoubtedly contributed to the environmental conditions of Lāhainā.

Knowing these facts, coupled with the uncertainty of my mother's welfare during the fires, makes me disappointed that West Maui Land Co. is blatantly showing disrespect to residents who have been impacted in some way or form from the fires by creating these false narratives.

I am testifying in **strong support of the following:**

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights,
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management,
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable,
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area, and
5. The Water Commission should actively re-center and consult with Maui Kama'āina and Native Hawaiians in the decisions about their future.

Mahalo nui,
Phyllis Raquinio
Kahului, Maui

Phyllis Raquinio, MPH (she/her/isuna)
Social and Behavioral Health Sciences
Office of Public Health Studies University of Hawai'i at Mānoa

From: [Yana Dashevsky](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for C-1
Date: Saturday, September 16, 2023 9:38:28 PM

Aloha,

My name is Yana Dashevsky and I am requesting to testify virtually via zoom on the C-1 agenda at the Commission on Water Resource Management meeting taking place on:

Tuesday, September 19, 9am
Department of Land and Natural Resources Boardroom, Kalanimoku Building
1151 Punchbowl St. Room 132, Honolulu, HI, 96813

Along with submitting a request to testify at the meeting virtually, I am also asking the board to utilize the following as an additional written testimony from myself.

Amidst the chaos and suffering in Lāhainā, West Maui Land Company official Glenn Tremble exploited the unfolding tragedy to [gain access to more water](#) and roll back water management protections established for Maui Komohana. Tremble falsely claimed that had they had access to more diverted stream water, there would have been more water for fighting the Lāhainā fires on August 8. Without verification of the actual facts, Commission on Water Resource Management chair Dawn Chang unlawfully “re-deployed” the Water Commission’s deputy director, Kaleo Manuel, while the Governor suspended hard-fought water management measures protecting West Maui’s streams, aquifers, and farmers from corporate water hoarding.

The facts are clear: diverting more water to Launiupoko reservoirs would not have supplied more water for firefighting—the reservoirs are not connected to the county’s fire hydrants, and even helicopters could not be used for water drops on due to the high winds of August 8-9. Instead, increased diversions would have cut off stream flow that may have been downstream farmers’ only source of water for fire suppression. West Maui Land Company’s Glenn Tremble simply tried push a dishonest narrative about the fires to hoard stream water and dismantle the water management tools that Maui Komohana communities have long fought for - and the Governor’s administration fell for it, hook, line and sinker.

Let there be no mistake—there is enough water for everyone. In the climate crisis era, appropriately managing this precious resource and protecting it from corporate water hoarding are paramount - for our ecosystems, communities, and overall resilience. The Water Commission made more strides towards achieving these goals under Deputy Manuel than any other deputy in the history

of the State Water Code – and now both Deputy Manuel and the code itself are being attacked by corporate and political powers-that-be.

The future of Maui Komohana’s watersheds and aquifers are at stake. Moreover, letting the Governor and Commission Chair’s actions stand could also impact water management measures across the islands. This is a moment for people power to push back against a future where money and influence continue to dictate the disposition of our islands’ most precious resource.

The next few meetings of the Water Commission provide a key opportunity for the people of Hawai‘i to voice their support for managing and fairly sharing our wai, and to stop the government from helping corporations steal our water – whether it is in West Maui, East Maui, West Kaua‘i or Hawai‘i Island.

Mahalo,

Yana Dashevsky

Non-Native Tenant of Maui



From: [Lisa chang](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] water- maui
Date: Saturday, September 16, 2023 10:13:00 PM

Aloha Chair and Commissioners,

My name is Lehua Chang, and I reside in Ka'a'a'wa. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Lehua Chang

From: [Pete Wilson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 10:31:10 PM

*My name is **Pete Wilson** and I live in **Pahoa on the Big Island**. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.*

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,
Pete Wilson

--

Pete Wilson

[REDACTED]
Pahoa HI 96778
[REDACTED]

From: [Jen Mather](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Testimony - CWRM Meeting 9/19: Agenda Item C
Date: Saturday, September 16, 2023 10:48:37 PM

Aloha Chair Chang and Honorable Members of CWRM,

My name is Jen Mather and I currently live in Kahului; previously a long time resident of Lahaina, and consider it to be my one hānai. I work at Waiola Church where many community meetings were held in our hall, Keōpūolani, and where the dedicated staff of CWRM, especially Deputy Director Kaleo Manuel, worked with our people through the painstaking processes of IIFs and the ground and surface water management area designation.

I write to you today, a little over a month since the fires devastated our community, to ask you to honor the commitment and hard work that the people of Maui Komohana, the CWRM staff, and you, as commissioners, have been a vital part of through the years. It pains me to see the current narrative of our water laws, and thereby, our kalo farmers, as nefarious evil doers promulgated by West Maui Land Company and their agent, Glenn Tremble, has been accepted. It is also infuriating to see that same fictitious narrative then given further agency by Governor Green, resulting in an international media frenzy that paints a single kalo farmer and Deputy Director Manuel as wrong-doers and principal agents in the destruction of our town. This is shameful, inflammatory behavior by an elected official who is showing his colors as having been bought by the *actual* evil, nefarious principals of West Maui Land Company.

It has never been my public stance to blame people or call them evil or even mention them by name in my testimony, but what has transpired since the fires is unconscionable. To allow the further abuse of our ‘āina by these bad actors, namely Peter Martin and Glenn Tremble, is wrong and should not be allowed. In so far as the capacity you are allowed, this body should make a statement that distances yourselves from the lies promulgated by these nefarious individuals and the company they lead that pillages the water from our aquifer.

I understand there is nuance in the story of our wai. I know that the desertification of our ‘āina began well before this company came in to continue it. I recognize that our ability to steward our wai began to shift when plantations diverted water away from our natural rivers and streams and our auwai and muliwai. I also acknowledge, however, that the choices that West Maui Land Company and this commission continues to make has a direct effect on how we can move forward and how we can rewater all of Maui Komohana. If we act in partnership with the real people who have lived in Maui Komohana for generations upon generations rather than the corporations with their loud money, we can reforest and remediate the hundreds of years of mismanagement.

If we think of the millennia that came before the inadequate, colonial introduced mismanagement usurpation of kānaka ‘ōiwi ecology based in mālama ‘āina, it has only been a relatively short time of bad decisions. Those bad decisions can be reversed if we decide to uphold and implement our Water Code and fiercely protect our resources. We do not need to continue the bad practices that have gotten us where we are. Nor do we need to continue to kowtow to for-profit entities that create dangerous narratives and play the victim when we, the people of Maui, have been victims to their greed and their corruption.

I humbly urge you to please uphold the Water Management Area designation for Maui

Komohana. I humbly urge you to reinstate Deputy Director Kaleo Manuel to his previous position. I humbly urge you to make a statement to the world that ola i ka wai.

Me ka ha'aha'a,
Jen Mather

From: [Kainoa Wilson](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Saturday, September 16, 2023 11:24:54 PM

Commission on Water Resource Management
Hawai'i Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 227
Honolulu, Hawai'i 96813
Email: dlnr.cwrn@hawaii.gov

Aloha Chair Chang and Commissioners,

My name is Kainoa Wilson, and I live in Honokohau Valley, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

I am writing to you today, on behalf of myself and my Ohana, to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. To this end, we would like to request that you immediately reinstate Deputy Director Kaleo Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

My Ohana has submitted water use permit applications for our Ohana property so that we may once again be able to live sustainably off the land. Our Kupuna were kalo growers that depended on the water in our river to provide water for their lo'i as well as the other crops/livestock that were cultivated for home use and to trade. They also depended on the river for their household uses and for sustaining the aquatic life that thrived in the river like opae, o'opu, hihiwai, etc.

We would also like to ask that you please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires and those of us who depend on the waters of our aina. The constant strain on our islands resources will have very dire consequences to our way of life now and for future generations to come.

Ola i ka wai!

Mahalo
Kainoa Wilson

From: [Greg Puppione](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Saturday, September 16, 2023 11:39:51 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Greg Puppione and I live in Honolulu. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Greg Puppione
Honolulu, Hawaii*

From: [Leimaile Quitevis](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water Testimony
Date: Monday, September 18, 2023 12:09:57 AM

Aloha Chair and Commissioners,

Mahalo for your time. I am testifying in support of:

1. Listening to the voices of the local residents most impacted by the agenda items of this hearing (which to my understanding includes the remaining items listed below).
2. Upholding the State Water Code and sharing water resources fairly and sensibly, with local residents' needs put before visitors or part-time residents.
3. Assuring that all private companies are in compliance with instream flow standards and other laws and regulations
4. Respecting the existing designation of Maui Komohana Water Management Area
5. Providing a fair, thorough and neutral investigation as to why Kaleo Manuel was removed as the Deputy Director of CWRM, with swift action to restore him to his position if there is no clear evidence of negligence or wrongdoing.

In general, many residents do not have the information, resources and wherewith all to know of hearings, where to get information related to the agenda items to develop an informed stance, and how to submit testimony. These challenges that prevent decision makers from having the true and full scope of what their constituents/stakeholders feel is best for them, are much further exacerbated for West Maui residents impacted by the wildfires on 8/8/23. For many, even electricity and internet access is limited to none, as well as spare time to learn of and participate in political matters.

Thus, I humbly request that you trust and account for the fact that for every one West Maui resident that does submit testimony, there are many who did not, but feel the same way. Likewise, while I do not speak for our staff or kumu at our nonprofit, or stakeholders across our 20 partner schools, I am

confident that a majority would surely agree with item 1 above, and would agree with the remainder if given adequate information and time.

Mahalo nūnui,

Leimaile Quitevis

From: [Tamara Griffiths-Krausen](#)
To: [DLNR.CW.DLNRWORM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 1:45:21 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Tamara Griffiths and I live in Lahaina, Hawaii. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Tamara Griffiths

From: [Brigid Dodge](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Testimony for 9-18
Date: Sunday, September 17, 2023 4:30:06 AM

Aloha Chair and Commissioners,

My name is Brigid Dodge, and I am a former Kona resident with much love and respect for the people of Hawai'i.

I'm writing today because I am extremely concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, **especially for Native Hawaiian water rights**
2. Chair Dawn Chang should **reinstate Kaleo Manuel** as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and **hold corporate interests accountable**
4. The Water Commission should **respect the existing designation of Maui Komohana Water Management Area,**

and

5. The Water Commission should **re-center Maui Kama'āina in the decisions about their future** and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Brigid Dodge
San Diego, CA

From: [Jordan Ruidas](#)
To: [DLNR.CW.DLNR.CWRM](#); [DLNR.CW.DLNR.CWRM](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Sunday, September 17, 2023 4:49:15 AM

Aloha Chair Chang and Commissioners,

My name is Jordan Ruidas, and I live in Lahaina Maui.

I give written testimony today on Agenda item C1, to share my profound aloha for my home, Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future to ensure something as devastating as the 08/08/23 Lahaina fires is unlikely to happen again, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so it is more easily accessible for us Maui community members and so that you can hear directly from those of us who were most affected by the fires.

Mahalo for your consideration!

Ola i ka wai!

Mahalo,

Jordan Ruidas
Lahaina Strong

From: [Cheryl Hendrickson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] C-1 Water Resource/ Lahaina Aquifer Comment
Date: Sunday, September 17, 2023 6:52:29 AM

Aloha Chair Chang & Commission on Water Resource Management-

I moved to Lahaina back in 1986 and have watched the surrounding fields go from green sugar cane to the barren timberbrush it is today.

I want to encourage you to support the West Maui communities many years of hard work to restore their freshwater resources. While I appreciate the strides made under the leadership of Kaleo Manuel, it is not enough.

Following the decades of poor water management by plantations and now by the luxury estate developers, the town of Lahaina is gone. We have come to a choice to rectify the wrongs and give West Maui back their freshwater resources. Hopefully to the wetland state it once was.

Please uphold and extend the Maui Komohana Water Management Area designation, ensure the updated interim instream flow standards are being met and reinstate Kaleo Manuel as deputy director.

The protection of our most precious freshwater resource for our communities, the aina and future generations is of paramount importance.

Many Mahalos,

**Cheryl Hendrickson
Long time Maui resident**

From: [Irena](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for Agenda Item C-1 - Water Commission Meeting (9/19)
Date: Sunday, September 17, 2023 7:41:32 AM

Aloha Chair and Commissioners,

I am very concerned that West Maui Land Co. is using false narratives to try to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from exploitation. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. This does not seem pono.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management.
3. The Water Commission should verify that West Maui Land Co. is complying with in-stream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Ola i ka wai! Water is life! It is vital in these times to ensure public trust water resources and inherent water rights are protected for Native Hawaiians and Maui Kama'āina, to protect a way of life based on aloha 'āina, mālama 'āina, and to rebuild traditional food systems and island food security for long-term community health and resilience. It is critical that water resources be shared in pono ways and center Kānaka Maoli Native Hawaiian inherent rights.

Mahalo nui for your consideration.

Mahalo,
Irena Bliss
Ha'ikū, Maui 96708

From: [patricia simon](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 7:26:38 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Patricia Simon and I live in the Kahana/Napili neighborhood north of Lahaina. I am writing today to give voice to my support for the West Maui communities' years of hard work to restore their fresh water resources and establish sustainable practices that ensure the water is flowing from mauka to makai as nature evolved this system over eons. There is enough water to restore the wetland ecosystem that thrived before the plantation era turned this land into a desert. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I have lived on Maui since graduating from UH Manoa in 1986. Over the years the mismanagement of water resources has led to the browning of the hillsides all over Maui and similarly throughout the state via the big landholders taking advantage of agricultural zoning laws (loopholes) to establish golf courses and the unaffordable homes that come with those properties. They siphon water from the streams and disrupt our ability to actually grow our own food. The sugar and pineapple fields of monoculture and the grazing animals brought in at the turn of the 18th century began this slow demise. The current series of droughts over the past 40 years along with the increasing number of wildfires is the result of all this water and land resources mismanagement. It's not a quick fix, but the likes of Peter Martin and the residuals of the missionaries and plantation days big land companies are not the fix. They are the problem.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Patricia Simon

From: [Lani Anderson](#)
To: [REDACTED] [Kaaa, Iwalani HR; DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Re: Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 8:54:47 AM

Perfectly said and written. Your amazing and I hope everyone is helping us gain back our water rights.

Mahalo Patty

[Sent from Yahoo Mail on Android](#)

On Sun, Sep 17, 2023 at 7:26 AM, patricia simon [REDACTED] wrote:

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Patricia Simon and I live in the Kahana/Napili neighborhood north of Lahaina. I am writing today to give voice to my support for the West Maui communities' years of hard work to restore their fresh water resources and establish sustainable practices that ensure the water is flowing from mauka to makai as nature evolved this system over eons. There is enough water to restore the wetland ecosystem that thrived before the plantation era turned this land into a desert. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I have lived on Maui since graduating from UH Manoa in 1986. Over the years the mismanagement of water resources has led to the browning of the hillsides all over Maui and similarly throughout the state via the big landholders taking advantage of agricultural zoning laws (loopholes) to establish golf courses and the unaffordable homes that come with those properties. They siphon water from the streams and disrupt our ability to actually grow our own food. The sugar and pineapple fields of monoculture and the grazing animals brought in at the turn of the 18th century began this slow demise. The current series of droughts over the past 40 years along with the increasing number of wildfires is the result of all this water and land resources mismanagement. It's not a quick fix, but the likes of Peter Martin and the residuals of the missionaries and plantation days big land companies are not the fix. They are the problem.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water

Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Patricia Simon

Sent from my iPhone

From: [ruth mcglumphy](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony for Water Commission meeting this coming Tuesday, 9/19/23
Date: Sunday, September 17, 2023 8:57:12 AM

Aloha Chair and Commissioners,

My name is Ruth McGlumphy, and I reside in Haiku, Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Ruth McGlumphy

[REDACTED]

Haiku, HI 96708

From: [Frances Salvato](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for 9/18/23 water commission meeting
Date: Sunday, September 17, 2023 9:15:45 AM

Aloha Chair and Commissioners,

My name is Frances Salvato, and I reside in Pukalani, HI. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Frances Salvato
Pukalani, HI 96768

Sent from my iPhone

From: [Heidi van Dijk](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony Water Rights Maui | Hawaii
Date: Sunday, September 17, 2023 9:33:21 AM

Aloha Chair and Commissioners,

My name is Heidi van Dijk and I reside in The Netherlands, Amstelveen.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Heidi van Dijk
Amstelveen, The Netherlands

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From: [Nicole Emmalia Hokoana](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Restore Streamflow to West Maui
Date: Sunday, September 17, 2023 9:38:04 AM

Aloha Chair and Commissioners,

My name is Nicole Hokoana and I am kūpā o kēia ‘āina nei, no Maui mai au. Although I live in Haiku, Maui, my kupuna are from Lahaina. I do not claim to fully understand the disputes over water in West Maui, but East Maui waters, and the waters of nā wai ‘eha, are also being fought over. Everyone is aware that waters have unjustly been diverted from rivers contributing to the arid conditions and unbalanced ecosystems we now face. I understand that due to the fires, West Maui Land Co. is attempting to further undermine water rights and decades of community advocacy that helped restore Maui’s streams and protect small farmers from the exploitation.

The people of Maui have no faith or trust in government as a result of 200 years of mismanagement of our resources. It is critical at this time that there be accountability for developers and government; that actions are taken in protection of working class people and ‘āina. No more excuses!

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management

3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable

4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and

5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions

Me aloha nō,
Nicole

From: [Sierra Lerback](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water Rights
Date: Sunday, September 17, 2023 9:57:10 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Sierra Lerback and I live in Napili.. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Sierra*

From: [May Rompas](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written testimony
Date: Sunday, September 17, 2023 10:01:35 AM
Attachments: [Outlook-mnprzgis.png](#)

Aloha Chair and Commissioners,

My name is May Rompas, and I reside in Zandvoort, Netherlands. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
May Rompas
Zandvoort, Netherlands

vr. groet,

May



From: [Maluhia Scott](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written testimony
Date: Sunday, September 17, 2023 10:16:11 AM

Aloha and to whom it may concern,

I am writing this testimony as a Native Hawaiian to express my strong support for the release of Kauaula Stream. This sacred waterway holds immense cultural, historical, and ecological significance to the Hawaiian people, and I believe that its restoration and preservation are crucial for the well-being of our community and the protection of our cultural heritage.

Kauaula Stream, has been a vital part of Native Hawaiian culture for generations. It has served as a source of fresh water, a place for traditional practices, and a habitat for native flora and fauna. The stream holds stories, traditions, and ancestral connections that are deeply rooted in our heritage.

The release of Kauaula Stream would not only honor and respect our cultural heritage but also contribute to the restoration of its ecological balance. Over the years, environmental changes and human activities have had a negative impact on the stream's health, endangering its delicate ecosystem. The release of the stream would allow for the natural flow of water, which is essential for the preservation of native species and the overall health of the surrounding environment.

Moreover, the release of Kauaula Stream aligns with the principles of sustainability and responsible stewardship of our natural resources. By revitalizing this precious waterway, we are not only ensuring its continued existence but also setting an example for future generations on the importance of protecting our environment.

I urge the relevant authorities to work collaboratively with Native Hawaiian communities, cultural practitioners, and environmental experts to develop a comprehensive plan for the release of Kauaula Stream. This plan should prioritize the restoration of the stream's ecological health, respect for cultural practices, and the involvement of the local community.

The release of Kauaula Stream is an opportunity to strengthen the connection between our people and our land, to honor our ancestors, and to ensure a sustainable future for all. I implore decision-makers to consider the cultural and ecological significance of this endeavor and to take meaningful steps to bring it to fruition.

Mahalo nui loa for your attention to this matter.

Aloha,

Maluhia scott

From: [Jih-Fei Cheng](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Cc: [Jih-Fei Cheng](#)
Subject: [EXTERNAL] Testimony Submission to Water Commission meeting this coming Tuesday, September 19th, 2023, at 9am in Oahu
Date: Sunday, September 17, 2023 10:30:09 AM

Attn: Water Commission
Testimony Submission to Meeting on Tuesday, September 19th, 2023, at 9am in Oahu

September 17, 2023

Dear Chair and Commissioners,

My name is Jih-Fei Cheng and I reside on the traditional homelands and unceded territory of the Tongva and Acjachemen in Long Beach, CA. Long Beach and nearby San Pedro, CA host one end of the annual Transpacific Yacht Race, which traces the waterways long established between the Kanaka Maoli, Tongva, Acjachemen, and other Indigenous seafarers and travelers to the sacred meeting place of Tovaangar. Long Beach and Greater Los Angeles also host the largest communities of Asian/American settlers outside of Asia.

Thus, Long Beach is closely connected to Lahaina, Maui, Oceania, and Asia by history, people, and ecosystems.

I research histories of science, media, and technology, including water and reservoir systems (see forthcoming 2024 special issue on “Reservoirs” in the journal of *History & Technology*: <https://www.tandfonline.com/journals/ghat20>). Water has been historically diverted from Indigenous peoples instead to settler colonizers, especially those representing government and corporations pursuing wealth extraction and profits. This has

turned our ecosystems into fuel for disastrous fires, and has degraded our ecosystems, biodiversity, and climate systems. It has left Indigenous, immigrant, and poor people the most vulnerable to cycles of crises. Restoring water rights to Indigenous peoples who have long practiced a custodial relationship to water and land over millennia should remain our top priority.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and

5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

The world is watching. We must do what is right for our present crisis and for the future.

Sincerely,

Jih-Fei Cheng

Associate Professor and Department Chair of Feminist, Gender,
and Sexuality Studies

Scripps College



Resident of Long Beach, CA

From: [S Ching](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 10:54:36 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Susan Ching, I live in mililani, Oahu.

I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water the local majority of residents of Maui first and foremost.

I have seen stream diversions in the uplands of west Maui on hikes and surveys for development projects over the past twenty years. The water was diverted from the landscape for agriculture that is long gone and is now being used for a select few including gentlemen estates and resorts.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

From: [Iwalouise Bryan](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Item C-1 written testimony
Date: Sunday, September 17, 2023 11:07:23 AM

Aloha Chair and commissioners,

My name is Iwa, raised in Lahaina and have continuously lived there up until the wildfire this past month. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

- 1) The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
- 2) Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
- 3) The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
- 4) The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
- 5) The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Iwa Bryan
Lahaina town resident

From: [Jamie Advincula](#)
To: [DLNR.CW.DLNRWORM](#)
Subject: [EXTERNAL] Comments RE: Item C-1
Date: Sunday, September 17, 2023 11:11:12 AM

To whom it may concern,

I am writing as a longtime Hawai'i resident whose family resides in Lahaina (Lahainaluna above the bypass, as well as Wahikuli and Napili). Water use has always been extremely important to the historic region, now more than ever with the task of rebuilding at hand. I believe that the fair and just allocation of water in this time of change will benefit the community and the land long-term. I humbly ask the Water Commission to uphold the West Maui Water Management Area designation as well as reinstate Kaleo Manuel as Deputy Director.

Thank you,
Jamie Advincula

From: [Anna M Severson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for Water Commission meeting
Date: Sunday, September 17, 2023 11:34:36 AM

Aloha Chair and Commissioners,

My name is Anna, and I reside in Lahaina. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Anna Severson

Previously Puamana, Lahaina resident, now in Napili

From: [Marya Baker](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Maui water rights
Date: Sunday, September 17, 2023 11:35:04 AM

Aloha Chair and Commissioners,

My name is Marya Baker, and I reside in Ocean View. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Marya Baker, Ocean View Hawaii

From: [Lauren Nalley](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Commission on Water Resource Management (CWRM)
Date: Sunday, September 17, 2023 11:36:20 AM

Dear Commission Secretary,

I am writing to you to express my concerns about the mis-use of our precious natural resource, water. Dawn Chang & Governor Green are allowing far too much water to be diverted to Launiupoko, for luxury properties. It is very concerning, for many reasons, but most importantly it is irresponsible. Water distribution should be regulated and redirected to ensure that Lahaina has water for residents basic needs, fair housing options for working class folks, the restoration of Lahaina, Agriculture, and restore Lahaina's once lush ecosystem.

This is my call to action to ask these government officials to STOP letting corporations hog and misuse water, to follow the law by restoring stream flows, uphold the Maui Komohana Water Management Area designation, and to reinstate Deputy Kaleo Manuel. These are all demands coming from local & native folks of Lahaina, Maui. I urge you to listen to the voices of your community members and do what is right by honoring their needs. The Lahaina community has lost so much, and it is truly shameful to see these "government leaders" overlook the basic needs of Lahaina. Do what is best for the community as a whole; allow them to restore the wetlands and distribute water to the folks who honor its precious value.

I hope you choose to do what is right.

Best,
Lauren Nalley

From: [Megan Powers](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Regarding Lahaina water/Land and cultural rights.
Date: Sunday, September 17, 2023 11:45:09 AM

Aloha Chair and Commissioners,

My name is Megan Loomis Powers, and I reside in Haiku/Huelo. I am all too familiar with the corporate water grab that has been the norm for 120 years on Maui. The corporations will destroy the watershed for their private gain, and then scapegoat the small farmer for using water that gets returned to the watershed and recharges the aquifers. While the majority of the privatized water ends up in the sewer system contaminating the reefs and the aquifers.

It is gross to see how the government and private development are doing a big land grab and water grab at this time in history, while the native Hawaiians and residents of Lahaina are still in shock from the devastation.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources

Management

3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

The decades of community advocacy is a real thing. People taking time off of work people, circulating petitions, people taking time to educate and get educated about the situation. And then behind closed doors people with money and power can get decisions pushed in their direction overnight or on the golf course. This is sick. This has to change. This must stop. Respect the local peoples' years and years and years of advocacy to restore what should never have been taken away in the first place.

Mahalo,

Megan Loomis Powers
Haiku/Huelo

From: [Uyen Vo](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Item C-1
Date: Sunday, September 17, 2023 11:46:40 AM

Aloha Chair and Commissioners,

My name is Uyen Vo, and I reside in Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Uyen Vo
Maui Resident

From: [Cissy](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] CWRM Testimony
Date: Sunday, September 17, 2023 11:50:15 AM

Hello,

Thank you for the opportunity to write regarding the September 18 hearing. Please accept these comments regarding the management of water in Maui.

1. Please ensure the interim instream flow standards for West Maui are met.
2. Uphold the West Maui water management designation.
3. Reinstate Kaleo Manuel as Deputy Director.

Sincerely,
Cynthia Fowler



From: [Karen Murray](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 12:19:26 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Karen Murray and I live in Honolulu. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

As you can tell from my cut/paste in this comment, I fully support not only the West Maui communities and Sierra Club's efforts.

I would go further to envision reclaiming some land to return to the Hawaiian community for native cultural practices further mauka in the ahupua'a from large landowners who have allowed the land to become fuel for wildfires. Clearly there had been mismanagement of lands and public resources to constantly monitor brush fires.

Perhaps if the Hawaiian community would choose, the land could be terraced by their own cultural design to capture water like the beautiful terraced areas we often see in other parts of the world.

I am reminded of the song Lahaina Luna. In particular the words "Where the mountains are green you will find me."

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Thank you for your kind attention,

Karen Murray

September 18, 2023

Commission on Water Resource Management
Department of Land and Natural Resources Boardroom
Kalanimoku Building, Room 132
1151 Punchbowl St.
Honolulu, Hawai'i 96813
VIA EMAIL

Subject: Support for Water Resources in West Maui - Encouragement to Visit Nā Wai 'Ehā and Reflection on "E Maui nui o Kama"

Aloha Commission on Water Resource Management,

Me 'oe ka Maluhia o Nā Wai 'Ehā o Maui-greetings and peaceful thoughts in reverence of our West Maui streams and our Maui 'ohana. I am writing today to express my strong support for the Maui Komohana Water Management Area designation and to ensure the updated interim instream flow standards for West Maui are met. I encourage you to continue responsible management of water resources in West Maui and to urge you, esteemed commissioners, to personally visit the four iconic West Maui rivers, collectively known as Nā Wai 'Ehā. As I convey my support, I would like to draw inspiration from the lyrical beauty of "E Maui nui o Kama" by Alice Namakelua.

*'Āina ua kaulana
O ka heke i'o nō 'oe
Ua lohe 'ia a puni ka honua*

These words celebrate the renown of the land and the ever-flowing waters that sustain it. West Maui's water resources, like the land itself, are famous for their beauty and importance. They have been heard of and admired worldwide and deserve our utmost care and attention.

*'Āina 'oe ua wehi
Ua 'ohu e ka roselani
He pua ho'i nāu e lei
A e ha'aheo mau ai 'oe*

West Maui, you are adorned with natural splendor, much like the Roselani flower. These waters are your lei, a precious and delicate ornament that signifies your unique beauty. Let us take pride in preserving and protecting these waters so that future generations may continue to marvel at their elegance.

*Kaulana nā wai 'ehā
He puana he inoa he hā'ina*

Maui Nui a Kama, 9/18/23

*Waikapū, Wailuku, Wai'ehu
A'o Waihe'e iho ia wai*

The four rivers of Nā Wai 'Ehā are celebrated in song and story, each bearing its name and significance. Waikapū, Wailuku, Waiehu, and Waihe'e—these waters hold a name, a story, and a legacy. Their importance is deeply ingrained in the cultural and environmental fabric of West Maui.

*He inoa nēia nou
E Maui nui o Kama
Ha'aheo 'oe i ka roselani
E ō mai i kou inoa*

This is a tribute to West Maui, the heart of Kama, and a plea for continued pride in the Roselani that adorns your land. As you gather to discuss the future of water resources in West Maui, I implore you to consider the cultural and ecological significance of Nā Wai Ehā and the enduring message of "E Maui nui o Kama."

I kindly request that you prioritize the sustainable management of these vital resources and take the opportunity to visit the rivers of Na Wai 'Ehā firsthand to see and feel the essence of their importance and the communities supported by these critical waters. Your presence and dedication are crucial in ensuring that the legacy of these waters endures for generations to come.

Mahalo nui loa for your commitment to protecting Hawaii's water resources. May your deliberations be guided by wisdom and compassion, and may you continue to safeguard the precious natural treasures of West Maui.

With the utmost respect, gratitude, and aloha 'āina,



Benton Kealiikiamoku Pang, PhD.

[REDACTED]
Honolulu, Hawai'i 96816
[REDACTED]

From: [Sylvia Dolena](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 12:56:24 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Sylvia Dolena and I live in East Hawaii Island and I have a small property on Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Sylvia Dolena

Owner, Pele Lani Farm LLC
Owner, Winning Edge Women's Leadership
Director, Puna Rising Entrepreneur Hub
Co-founder, Aloha Animal Advocates, HI Domestic non-profit
Director, Malama O'Puna. 501c3
President, Aloha Lokahi Association, 501c3
President, Kulia I Ka Nu'u Outreach Services
Vice President, Love Those Dog Paws, 501c3

From: [Jasmine Powell](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] CWRM meeting 9/19 written testimony
Date: Sunday, September 17, 2023 1:06:11 PM

Aloha kakou,

Below is my written testimony for the CWRM meeting 9/19:

WE ASSERT our **collective kuleana** to **mālama** (*care for*) our precious water resources, protection of the public trust protects Hawai‘i’s people. This is a kuleana that was blatantly undermined by Dawn Chang, the Green Administration, and large landowner, West Maui Land Company Executives.

WE CALL FOR **solidarity** amongst the working class people of Hawai‘i to **resist corporate control of resources** and to **demand a future** that puts the **needs of our people, our ‘āina and our environment** before the profits of corporations and luxury developers.

WE CALL FOR Governor Josh Green and the Water Commission to **respect** and **uphold West Maui’s Ground and Surface Water Management Areas**.

WE CALL FOR the Water Commission to **enforce stream flow standards** to ensure that kuleana users, small family farmers and the streams themselves are getting the water they need before water is taken for luxury homes and other development.

WE CALL FOR the Water Commission to process water use permit applications for **public trust purposes** – such as **lo‘i kalo, loko i‘a and other traditional and customary Native Hawaiian practices and individual domestic uses** – FIRST before applications for developers, luxury homes, private commercial uses and the County of Maui.

WE REJECT the **continued corporate dominance of water and land** resources that should be used to better the quality of life of people and our home.

WE REJECT **corporate misinformation and lies** that allow continued theft of water throughout Hawai‘i and in Lahaina in particular.

WE REJECT the **false narrative** that a single Water Deputy who has proven to be highly impactful in his job, somehow impeded firefighting efforts on August 8th, 2023.

WE REJECT the **legacy of water theft in Hawai‘i** that is rooted in colonial exploitation, oligarchical control, manipulation, and exploitation of people,

land and water.

WE REJECT **plantation disaster capitalism** that puts corporate profit before the well-being of Hawai‘i’s people while they are most vulnerable.

WE REJECT the status quo approach of Chair Dawn Chang and Governor Josh Green that utilizes **manipulative tactics to further the interests of private, for-profit developers** at the expense of the community at-large and the public trust.

WE CALL FOR **Deputy Director Kaleo Manuel’s immediate reinstatement.**

E OLA! E OLA! E OLA I KA WAI!

Mahalo nui loa,
Jasmine

September 17, 2023

Aloha mai kākou,

My name is Eden Healanie‘imiahilina‘iikapono Kanekoa. I am a 17 year old kalo farmer born and raised in Honokōhau valley. As a resident and young adult raised on the west side of Maui, I have always been surrounded by my parents and family who have fought endlessly to protect our water and resources in hopes that one day our future generations will be able to sustain themselves as we kanaka Maoli should be able to. After the fire on August 8, 2023, we the people of Lāhainā and Hawai‘i have been buried in the ashes of pain and sorrow mourning our losses. We have also been faced with not only the tourism being allowed back into the mourning community, but the water rights which have been continuously stripped away from our Hawaiian people. I hope that you have seen the desperate need for essentials such as food and water in which we cannot provide for ourselves due to the lack of resources. Which is why, I testify in support of the following.

1. The water commissions should uphold the state water code to ensure the public trust water resources are shared equally, especially for native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the deputy director of the commissions.
3. The water commissions should verify that west Maui land company is complying with instream flow standards and hold corporate interests accountable.
4. The water commissions should respect the existing designation of Maui komohana water management area.
5. The water commissions should re-center Maui kama‘āina in the decisions about their future and hold their next meetings in Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Eden Healani Kanekoa, Honokōhau valley resident.

From: [David Negaard](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony on item C-1
Date: Sunday, September 17, 2023 1:44:51 PM

Aloha Chair and Commissioners,

My name is David Negaard, and I reside in ahupua‘a Wailuku, moku Wailuku, mokupuni Maui. I am a teacher at Baldwin High School, and previously taught at Lāhainā Intermediate School. I am deeply concerned by ongoing misrepresentation of circumstances by corporate entities like West Maui Land Company that may undermine decades of community advocacy and hard-won water rights that had begun to restore Maui streams and protect small farmers from bullying and exploitation by corporate interests, interests that are not in the best interests of the people and community of Lāhainā. These falsifications have scapegoated small kalo farmers and vilified former Water Commission Deputy Director Kaleo Manuel, who was demonstrably serving community and cultural interests.

My testimony urges that:

1. the Water Commission uphold the State Water Code to ensure public trust water resources are shared equally, especially Native Hawaiian water rights
2. Chair Dawn Chang reinstate Kaleo Manuel as Deputy Director of the Commission on Water Resources Management
3. The Water Commission verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. 4. The Water Commission respect the existing designation of Maui Komohana Water Management Area, and
5. 5. The Water Commission re-center Maui kama‘āina (and especially ‘ōiwi) in the decisions about the future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
David Negaard
Wailuku Maui

--

David Negaard (he/him/his)

C: [REDACTED]

“Man is most nearly himself when he achieves the seriousness of a child at play.” -Heraclitus

From: [Justice Villaren](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Sunday, September 17, 2023 1:59:01 PM

Aloha Chair Chang and Commissioners,

My name is Justice Villaren, and I live in Lahaina, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Justice Villaren

[Sent from Yahoo Mail for iPhone](#)

From: [Martha E. Martin](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] C-1 Water Resources in the Lahaina Aquifer Sector
Date: Sunday, September 17, 2023 1:57:55 PM

Aloha. I am Martha E. Martin and I live in Kahului, HI.
Please continue to implement the State Water Code to protect water
for the use of Maui communities and resident farmers, and to restore stream flows.

Please don't grant more water rights to corporations and private luxury
developers.

Mahalo,
Ms. Martha E. Martin
[REDACTED]
Kahului, H 96732

From: [Justice Villaren](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Agenda Item C2, Update on Water Resources in the Lahaina Aquifer Sector
Date: Sunday, September 17, 2023 2:00:12 PM

Aloha Chair Chang and Commissioners,

My name is Justice Villaren, and I live in Lahaina, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Justice Villaren

[Sent from Yahoo Mail for iPhone](#)

From: [Mary Lu Kelley](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony on Agenda Item C-1
Date: Sunday, September 17, 2023 2:00:37 PM

Aloha Chair and Commissioners,

My name is Mary Lu Kelley, and I reside in Kapa'a, Kauai. I am very concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Please do the right thing.

Mahalo,

Mary Lu Kelley

[REDACTED]
Kapa'a, HI 96746-1852
[REDACTED]

From: [Natia Barber](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for item C-1
Date: Sunday, September 17, 2023 2:21:22 PM

Aloha Chair and Commissioners,

My name is Natia and I reside in Hawai'i .

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Natia, Maui, HI

From: [Colleen Medeiros](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Public Testimony for CWRM Sept 19 meeting
Date: Sunday, September 17, 2023 2:28:43 PM

Aloha Commissioners,

I am writing in support of keeping water held and owned by the public in streams and going to provide for the needs of the public. To this day it is hard to fathom that private interests still own the water delivery systems of a resource that is a public trust. State and County governments must make it a priority to obtain control of the water systems to get water back as a fully public resource.

While I don't completely understand what has happened with the streamflow as a result of August 8 and after the fires, or as a result of the Emergency proclamation. No private entity should have any more control over the water than they had prior to the fires and emergency proclamation.

I plan to watch the meeting in an effort to understand what has happened over the past month and in the wake of the fires.

Mahalo,

Colleen P. Medeiros R(S)



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From: [Arielle Pieter](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testifying before the Commission on Water Resource Management
Date: Sunday, September 17, 2023 2:42:18 PM

Aloha, my name is Arielle Pieter I am from Maui, Hawaii. I was born and raised on the knotty side of the the island in haiku. I am not from Lahaina but have spent some of my childhood over there along with my family. As citizens of hawaii we know our rights as people, and often times know to stand up for our people to do what is right. Now this is not right, for how long has the government gone behind the peoples backs over the years showing changing things little by little thinking no one would notice because we do. These things that you are doing and changing are affecting peoples way of life making it harder for them. I'm no expert or certified conservationist but this does not seem okay it does not seem pono. I can promise you also if you folks don't help the community and do something about this the community will help them selves and come together to fight for what is right so that is why i am testifying against the water diversion happening in Lahaina right now.
Thank you for taking the time to read my message,
Arielle

From: [REDACTED]
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony on Agenda Item C-1
Date: Sunday, September 17, 2023 2:54:17 PM

Aloha Chair and Commissioners,

My name is Dennis Galloway and I reside in Kahului Maui. I am very concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang did not have the authority remove Kaleo Manuel and the board should immediately reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management and immediately remove Dawn Chang or at least admonish her for over stepping her authority.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Dennis Galloway

Kahului, Maui

From: [Onyx Marie](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] C-1 Written Testimony
Date: Sunday, September 17, 2023 2:54:18 PM

Hi There,

I am writing to you to ask that you uphold the West Maui Water Management Area designation, ensure the interim instream flow standards for West Maui are being met, as well as to reinstate Kaleo Manuel as Deputy Director.

Thank you,
Onyx Baird

--

Onyx Baird
Honeybee Conservationist & Filmmaker
M.S. Fisheries & Wildlife



From: [REDACTED]
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony on Agenda Item C-1
Date: Sunday, September 17, 2023 2:56:25 PM

Aloha Chair and Commissioners,

My name is Elizabeth Galloway and I reside in Kahului Maui. I am very concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang did not have the authority remove Kaleo Manuel and the board should immediately reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management and immediately remove Dawn Chang or at least admonish her for over stepping her authority.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Elizabeth Galloway

Kahului, Maui

From: [Kamaka](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] West Maui Water 09/19/23 Meeting
Date: Sunday, September 17, 2023 2:57:08 PM

Aloha Chair and Commissioners,

My name is Ann Saffery and I reside in Honolulu, Hawaii. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Ann Saffery

Honolulu, Hawaii

Sent from my iPhone

From: [ivan sandri](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] C.1
Date: Sunday, September 17, 2023 3:03:46 PM

Hello,

I write today about item C.1. While I am not a local or a native Hawaiian, I have close friends who are, I have visited the islands yearly, research as best i can the colonial control of the islands, and have seen how the fires have affected my friends. Furthermore, I understand how these horrid fires could have been prevented if water was not diverted to protect greed, colonialism, and tourism while ignoring the health and safety of the island and people.

I thus write in support of the locals and Kanaka Maoli, I ask that the commission enforce stream flow standards to allow kuleana users and small family farmers access to water before the luxury homes and other development. I also ask that the commission, in order to protect the safety of the island, process water use permit applications for public trust reasons over the reasons of corporate/commercial greed.

Wise water usage will best help the community and island. That wise water usage was promoted by Kaleo Manuel who should be reinstated, and is hindered by the corporate/commercial interests that steal and poison the waters.

Thank you

IYAN BARRERA- SANDRI

From: [Cheryl B](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Maui Komohana Testimony for 9/19/2023
Date: Sunday, September 17, 2023 3:05:36 PM

Aloha !

This testimony is to urge the commission to do the right/pono things for Maui Komohana. We strongly support the commission to do the following:

*UPHOLD the Maui Komohana Water Management Area Designation

*ENSURE that interim instream flow standards are being met

*REINSTATE Kaleo Manuel as deputy director and investigate the paths that got him removed in the first place. We know this person, personally and know that he has worked hard for the people of these islands to take care of our precious commodity, water. It was, we believe, pressure from West Maui Land Co. and their interests which led to his removal. It was wrong and should be rectified. Under Kaleo's leadership, the Water Commission was finally setting straight decades of injustice. We can not let it return to the way it was..

RECENTER West Maui Kama`āina in decisions about THEIR water, `āina and community

We would also like to add that water is essential to all life, a fundamental human right. There are too many corporations, hotels, golf courses and people who feel they are entitled by their wealth who are taking water that we need to sustain these islands for people. There's a long history of profit diversions that have taken us to where we are now. This leads us to the DLNR & Dawn Chang having a history of advancing corporate interests. We know this from her history with the TMT and have seen it in other areas as well. Based on her work prior to DLNR she should now have to recuse herself from most issues.

It is our hope that the water commission will look carefully at these requests and look deep into the reasons that we continue to have these issues on our islands. Corporations wanting more \$\$ at the expense of people, regular folks doing what they can for their families and communities are destroying us.. We are, as you know, islands with limited resources. To continue to allow corporations, billionaires, the military and others to control what happens is not pono. Please do the right thing.

D. Green
C. Burghardt

September 17, 2023

Via Electronic Mail

Commission on Water Resource Management, State of Hawai'i

Attn: Chair Dawn N. S. Chang

Commissioner Kenneth S. Fink, M.D., MGA, MPH

Commissioner Neil Hannahs

Commissioner Aurora Kagawa-Viviani, Ph.D.

Commissioner Wayne K. Katayama

Commissioner Paul J. Meyer

Commissioner Lawrence H. Miike, M.D., J.D.

Kalanimoku Building

1151 Punchbowl Street, Room 227

Honolulu, Hawai'i 96813

dlnr.cwrn@hawaii.gov

Re: Item C-1, Request for Immediate Action to Protect Maui Komohana's Water Resources and Uphold this Commission's Public Trust Responsibility

Dear Chair Chang and Commissioners,

As a concerned lifelong resident of Kona and Honolulu who has dedicated my life to the study of island ecosystems and conservation, I raise objections to the recent actions taken in Maui Komohana which conflict with the Commission's directive to protect water as a public trust throughout Hawai'i. The suspension of Maui Komohana interim instream flow standards and the reassignment of Deputy Director Kaleo Manuel come at a turning point for Hawai'i. These actions, in combination with the governor's signaled support for reversing the designation of Maui Komohana as a water management area, signal to the people that protecting water as a public trust is not a priority. Consider wisely in your next actions, as it appears an obvious move of blatant corruption to support measures which award water to the development of "gentlemen's estates" and put money in the hands of few developers while our people and environment struggle and die at the hands of gross mismanagement of our resources, emergency services, economy, food sources, and water! Do not forget that the people who's public trust in water you are working to protect are paying ever increasing prices for food, and are dealing with other broken state systems in their personal lives. I am afraid for the civil unrest that will come with continued management which benefits few while our people become desparate for the resources we need to survive.

The actions of West Maui Land Co. to take advantage of a terrible situation of loss and mismanagement are with blatant disregard for what is pono, and for future generations of these lands. I have been incredibly disheartened to see the action taken by our government, our governor, and the media in response to this. As someone who has dedicated my life to bulding a future with water, food, and Hawaiians in Hawai'i, this is a major blow. In fact, this is the hardest I have felt the blow of government to my own life. You should be aware of these feelings throughout the populace. I am concerned for the future of Hawai'i and looking for pono management action to be taken.

I urge the comission to prioritize fair housing and water access for working class people and farms, and to stop taking actions which allow luxury development on agricultural lands to take water from ecosystems and agricultural enterprises which act to slow the spread of fire and provide local food sources, jobs, and opportunities for eco-tourism. Act to restore the wetland of Lahaina and the place

that sustained people for generations, and the beauty that draws tourists to her shores. Maintain the instream flow standards and the designation of Maui Komohana as a water management area. Lastly, reinstate Kaleo Manuel as Deputy Director of the comission.

The people are not blind, and the time for action is now. With climate change, increasing human populations, and the state of world affairs Hawai'i needs to take action to restore local food systems and create an economy which can support our people! We need to be solid and ready for what is to come from outside, not allowing few to benefit and push our people into poverty for their luxury homes. Please uphold the rights of the people.

Mahalo nui loa for your consideration,

Veronica Gibson., PhD

From: [KATHY MCDUFF](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water
Date: Sunday, September 17, 2023 3:33:35 PM

Aloha Chair and Commissioners,

Our name are Richard Lucas and Kathy McDuff and we reside in Ha'iku. We are concerned that incorrect arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These unsubstantiated arguments have unfairly targeted small taro farmers and former Water Commission Deputy Director Kaleo Manuel. This is not pono.

We are testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management immediately
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Richard Lucas
Kathy McDuff

From: [Keola Nakanishi](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for O'ahu water hearing
Date: Sunday, September 17, 2023 3:46:45 PM

Aloha Chair and Commissioners,

Mahalo for your time. I am testifying in support of:

1. Listening to the voices of the local residents most impacted by the agenda items of this hearing (which to my understanding includes the remaining items listed below).
2. Upholding the State Water Code and sharing water resources fairly and sensibly, with local residents' needs put before visitors or part-time residents.
3. Assuring that all private companies are in compliance with instream flow standards and other laws and regulations
4. **Respecting** the existing designation of Maui Komohana Water Management Area
5. Providing a fair, thorough and neutral investigation as to why Kaleo Manuel was removed as the Deputy Director of CWRM, with swift action to restore him to his position if there is no clear evidence of negligence or wrongdoing.

In general, many residents do not have the information, resources and wherewithall to know of hearings, where to get information related to the agenda items to develop an informed stance, and how to submit testimony. These challenges that prevent decision makers from having the true and full scope of what their constituents/stakeholders feel is best for them, are much further exacerbated for West Maui residents impacted by the wildfires on 8/8/23. For many, even electricity and internet access is limited to none, as well as spare time to learn of and participate in political matters. Thus, I humbly request that you trust and account for the fact that for every one West Maui resident that does submit testimony, there are many who did not, but feel the same way.

Likewise, I do not speak for my staff or kumu due to only recently learning of this hearing, and a Monday morning deadline. However, I am confident that a majority if not all of our staff and kumu (dozens in total) as well as a majority of those we work with across over 20 partner schools, agree with item 1 above, and would agree with the remainder if given adequate information and time.

Mahalo nui,

Keola Nakanishi
Executive Director
Mana Maoli

From: [Alec Bayer](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 5:25:09 PM

Aloha Chair and Commissioners,

My name is Alec Bayer and I reside in Pearl City. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Alec Bayer

Pearl City, HI

From: [Dale Evans](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 5:30:52 PM

Aloha,

Asked what the election in 1992 was all about, Clinton's strategist James Carville said, "It's the economy, stupid." Since the Lahaina tragedy, I've been saying, "It's the ecology, stupid." But it's really BOTH. It was the colonialist economy that allowed the sugarcane plantations to take over so much land in our islands, until sugar was not profitable and yielded to the real-estate industry, leaving lands invaded by invasive grasses that served as fuel for the wildfires, despite warnings. I'm in the midst of reading Scheuer and Isaki (2021) and learning just how hemahema our water management policies and regulations have been. I'm going to continue educating myself about this and watching what our governing agencies do in the aftermath of the recent disaster. But my fundamental conclusion is that governing entities need to recognize that the damages of colonialist exploitation in Hawaii need to be redressed, and if these entities are unwilling to take actions, WE will replace them. So *please*, get about fixing the ecosystems whose mismanagement caused this disgraceful ecological disaster.

Sincerely,

Dale O. Evans

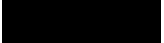
Waimanalo

From: [Iban Garvin](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written testimony (Item C-1)
Date: Sunday, September 17, 2023 5:52:19 PM

Aloha Chair and Commissioners, My name is Iban Garvin and I reside in Makawao, Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Iban Garvin,

Makawao, HI, 96768

From: [Martina Osicka](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Written Testimony - Maui Komohana Tuesday Water Commission Meeting
Date: Sunday, September 17, 2023 5:39:31 PM

To the Water Commission of Hawai'i,

It is with deep concern that I am writing you today in hopes that some of the words I share will offer some insights into the frustrations that the people of Maui are facing. It is of the utmost importance that the root causes of the arid conditions on Maui are addressed. When we ignore, control, and manipulate nature, forgetting that we too are part of nature, we set ourselves up for failure. The fires in Lahaina, were a long expected failure waiting to happen for those that understand the unique ecosystem of Maui Komohana.

I implore you to look at the ways that West Maui Land Co. and Peter Martin have used this tragedy to justify more water to these lands. It's important to note that some areas in West Maui are struggling with Peter Martin to get their water turned on. He ignores their requests and yet asks for more water to areas that are green.

It is imperative to uphold the Maui Komohana Water Management Area designation and ensure that the interim in-stream flow standards are being met. I would also like to request that Kaleo Manuel be re-instated as deputy director and a public statement is made to news outlets that the water request made by West Maui Land Co to Kaleo would not have impacted the water in the hydrants on August 8th, nor have been able to be used to fight these fires. It must be made abundantly clear that Peter Martin/Glenn Tremble attempted to seduce the government and news outlets into thinking their request was to protect Lahaina.

Finally, I urge you to recognize that the true Kama'aina of Maui understand the issues that pertain to their water. They must be centered in the decision made about land, water and resources in Lahaina. Please look to those who are advocating for these lands to be returned to their once lush, abundant food productivity and stop letting water be diverted through the old systems set up during the plantation era. That time has passed for Lahaina, it is time to rebuild a historic Lahaina from the time before the settler. Before the trees of Maui Komohana were logged and dragged out leaving the land fallow for the cane and pineapple fields.

Mahalo Nui,
Martina

From: [Aja Toscano](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony for the Commission on Water Resource Management (CWRM)
Date: Sunday, September 17, 2023 6:15:21 PM

Hi,

My name is Aja Toscano and I was born and raised in Kahana, Maui. The home I grew up in was next to Kahana Stream, a body of water that makes a big part of my childhood. I now live on O‘ahu, in the district of Waikīkī. A place that was once a wet land, Waikīkī is an example of what greed and power can do to deplete what was once such a rich and thriving area.

I urge Chairperson Dawn Chang and Governor Green to listen to our community’s pleas when we ask to restore the stream flows in Lāhainā. Don’t let corporations get greedy with water and ensure that they are following laws. REINSTATE DEPUTY KALEO MANUEL.

Let the people of Lāhainā continue to grieve and focus on rebuilding their home, they shouldn’t also need to be fighting this fight of water when it is so clearly a theft.

Mahalo nui for your time,

--

AJA TOSCANO

From: [Bren Taylor](#)
To: [Kaaa, Iwalani HR; DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for the Water Commission Meeting Tues, Sept 19, 2023
Date: Sunday, September 17, 2023 6:19:43 PM

Aloha Chair and Commissioners,

My name is Bren Taylor and I reside in South Kihei.

I am deeply concerned that false arguments by the West Maui Land Co. are being used to undermine water rights and decades of community advocacy that have helped restore Maui's streams and protect small farmers from the exploitation of big business.

I have read these stories with great alarm and feel strongly that these false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

Please add my support to the others at the Water Commission meeting on Tuesday, September 19, 2023.

1. It is critical that the Water Commission uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should immediately reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management.
3. Please act to verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

The world has changed and you can start helping to create a different future right here and now.

Mahalo for your time and consideration,

Bren Taylor

[REDACTED]
Kihei, HI 96753

[REDACTED]

From: [Dea Rackley](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Undermining Maui Water Rights.
Date: Sunday, September 17, 2023 6:36:40 PM

Aloha Chair and Commissioners,

My name is Dea Rackley and I reside in Puna, Hawaii. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,
Dea Rackley
Pahoa, Hawaii

From: [Rachel Chojnacki](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comment Item C-1 Meeting of Commission on Water Resource Management
Date: Sunday, September 17, 2023 7:18:39 PM

Aloha Chair and Commissioners,

My name is Rachel Chojnacki Juri, I live in Kihei and spent a great amount of my time working in Honokowai and Launipoko, and surfing, enjoying the beach with friends and family all up and down the west coast. I've seen the best and worst of the west side of Maui, and with such heavy crisis as we have seen this past month comes opportunity for great changes moving forward.

Sadly, it appears (not only to me, but most anybody I talk to that lives on Maui and cares deeply for how her resources are managed and looked after) that this crisis has ushered in the opportunity for further corruption and corporate greed more than positive, regenerative changes. Too many people are watching too closely for the crooked, development-hungry politicians and private land companies to take advantage of this situation to steal water rights and create scapegoats rather than reckon with the true nature of the west side's biggest problem: mismanagement of water resources. West Maui Land Co. has made concerning statements trying to blame local farmers and especially former Water Commission Deputy Director Kaleo Manuel for this mismanagement of water resources, when in reality they should be looking inwards to see how their own company is abusing their rights to water in an area that must be so carefully managed to prevent further desertification and draught.

I've seen with my own eyes the complete imbalance of nature versus development in Launipoko for example, working with a house cleaning service and regularly entering several Brown Development mansions containing: more than one 80-gallon bathtub per unit, one infinity pool and one hot tub outside, non-native palm trees and invasive landscaping plants that do nothing but suck up water and further damage an already fragile watershed.

It is my hope that the commission in discussing item C-1 will support the following wishes of the REAL community of the west side (not that of paid developers and private interests):

1. The water commission should uphold the state water code to ensure water on Maui remains an accessible resource to be shared equally with all, not giving preference to millionaires that think it is morally right to buy up a natural resource and sell it back to the highest bidder (most often foreigners).
2. Chair Dawn Chang must reinstate the falsely scapegoated Deputy Director of the commission Kaleo Manuel.
3. The Water Commission must verify that West Maui Land Co. is complying with in stream flow standards, as recent reporting has shown streams suspiciously running dry downstream of their claims.
4. The Water Commission must respect the existing legal designation of Maui Komohana Water Management Area.
5. The Water Commission cannot in good conscience hold meetings outside of Maui, without

local and kanaka voices, and pretend to have the interests of local residents in mind when deciding how to manage a limited and natural resource. Kama'āina must be included in decision making when it comes to the bare minimum resources that are necessary for human life. Water is life, let the people of west Maui input their voices into the management of the watershed and ecosystem.

All over the Hawaiian islands, time and again, government and military organizations continue to prove incompetent and corrupt in their “caretaking” role of the resources that sustain human life. It's time to let the people who actually live off of these resources take care of them so the job is done with intention to heal the ecosystem and provide equal access for all, not only sellout to the highest bidder.

Mahalo for taking our orders as you are the public servants (I.e. we, the people, tell you what we need and how to do your job),

Rachel Chojnacki Juri

From: [Loiloa Inc](#)
To: [Kaaa, Iwalani HR; DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 7:17:03 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Kawewehi Pundyke and I live in Waiohuli Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Kawewehi Pundyke

From: [Rachel Chojnacki](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Fwd: Item C-1 Water Commission Meeting Public Comment
Date: Sunday, September 17, 2023 7:19:34 PM

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

From: Rachel Chojnacki [REDACTED]
Date: Sun, Sep 17, 2023 at 7:17 PM
Subject: Item C-1 Water Commission Meeting Public Comment
To: [REDACTED]

Aloha Chair and Commissioners,

My name is Rachel Chojnacki Juri, I live in Kihei and spent a great amount of my time working in Honokowai and Launipoko, and surfing, enjoying the beach with friends and family all up and down the west coast. I've seen the best and worst of the west side of Maui, and with such heavy crisis as we have seen this past month comes opportunity for great changes moving forward.

Sadly, it appears (not only to me, but most anybody I talk to that lives on Maui and cares deeply for how her resources are managed and looked after) that this crisis has ushered in the opportunity for further corruption and corporate greed more than positive, regenerative changes. Too many people are watching too closely for the crooked, development-hungry politicians and private land companies to take advantage of this situation to steal water rights and create scapegoats rather than reckon with the true nature of the west side's biggest problem: mismanagement of water resources. West Maui Land Co. has made concerning statements trying to blame local farmers and especially former Water Commission Deputy Director Kaleo Manuel for this mismanagement of water resources, when in reality they should be looking inwards to see how their own company is abusing their rights to water in an area that must be so carefully managed to prevent further desertification and draught.

I've seen with my own eyes the complete imbalance of nature versus development in Launipoko for example, working with a house cleaning service and regularly entering several Brown Development mansions containing: more than one 80-gallon bathtub per unit, one infinity pool and one hot tub outside, non-native palm trees and invasive landscaping plants that do nothing but suck up water and further damage an already fragile watershed.

It is my hope that the commission in discussing item C-1 will support the following wishes of the REAL community of the west side (not that of paid developers and private interests):

1. The water commission should uphold the state water code to ensure water on Maui remains an accessible resource to be shared equally with all, not giving preference to millionaires that think it is morally right to buy up a natural resource and sell it back to the highest bidder (most often foreigners).
2. Chair Dawn Chang must reinstate the falsely scapegoated Deputy Director of the commission Kaleo Manuel.

3. The Water Commission must verify that West Maui Land Co. is complying with in stream flow standards, as recent reporting has shown streams suspiciously running dry downstream of their claims.

4. The Water Commission must respect the existing legal designation of Maui Komohana Water Management Area.

5. The Water Commission cannot in good conscience hold meetings outside of Maui, without local and kanaka voices, and pretend to have the interests of local residents in mind when deciding how to manage a limited and natural resource. Kama'āina must be included in decision making when it comes to the bare minimum resources that are necessary for human life. Water is life, let the people of west Maui input their voices into the management of the watershed and ecosystem.

All over the Hawaiian islands, time and again, government and military organizations continue to prove incompetent and corrupt in their "caretaking" role of the resources that sustain human life. It's time to let the people who actually live off of these resources take care of them so the job is done with intention to heal the ecosystem and provide equal access for all, not only sellout to the highest bidder.

Mahalo for taking our orders as you are the public servants (I.e. we, the people, tell you what we need and how to do your job),

Rachel Chojnacki Juri

From: [Autumn Ness](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Item C-1 testimoy- uphold the State Water Code
Date: Sunday, September 17, 2023 7:23:59 PM

Aloha Chair and Commissioners,

My name is Autumn Ness, and I live in Kihei, Maui. I have supported community members in West and East Maui in their battles for fair water use for years. False arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. Unfairly scapegoating taro farmers and Deputy Director Kaleo Manuel is a disgusting response to the fires in West Maui and should cease immediately

I am requesting the following

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo for your attention,

Autumn Ness



--

Imagine what's possible...

From: [Keliikanakaole Ioane](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony on Item C-1
Date: Sunday, September 17, 2023 7:33:09 PM

Aloha,

My name is Keli'i Ioane. I am a Kanaka Maoli and life long resident of Hawai'i. I am writing this email as a written testimony for the September 19th meeting of the Commission on Water Resource Management. I am writing to ask Chairperson Dawn Chang and Governor Josh Green to support the maka'ainānā of West Maui by; upholding the West Maui Water Management Area designations, ensure the interim instream flow standards for West Maui are being met, and to reinstate Kaleo Manuel.

I hope my testimony will encourage Chairperson Chang, Governor Green and any other person of consequence who needs to hear it to support the people who they are sworn to serve and not the corporations who have already taken more than they deserve.

Mahalo,
Keli'ikanaka'ole Ioane

From: [Natasha Gomes](#)
To: [DLNR.CW.DLNRWCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 7:31:32 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Natasha Kamalei Gomes and my family and I live in Lāhainā, Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I implore you to listen to the voices, stories and testimonies of our people here in Lāhainā. Is it not obvious by now how vital it is to have proper water management in place? How much louder do we need to speak so that our voices can be heard?

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their years-worth of hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Mahalo,
Natasha Kamalei Gomes

From: [Tamra Probst](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on c1; water resources in the Lahaina aquifer
Date: Sunday, September 17, 2023 7:47:57 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Tamra Probst and I live in napili, west Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I think it is unfair that our communities efforts and our leadership efforts were used as a scapegoat of blame and in result erases every positive efforts for west Maui water uses for our community.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Tamra Probst*

Sent from my iPhone

From: [Jezelyn Gonsalves](#)
To: [DLNR.CW.DLNRWORM](#)
Subject: [EXTERNAL] Water Commission item C-1
Date: Sunday, September 17, 2023 7:51:47 PM

Aloha,

My name is Jezelyn Gonsalves and I am from Lahaina, Maui. I am writing to ask you to uphold the West Maui Water Management Area designation. I ask that you ensure the interim instream flow standards for West Maui are being met. Kalepa Manuel MUST be reinstated as Deputy Director. The people that put the blame on him lied because Kaleo did what they didn't want him to do.

Sent from my iPhone

From: [Glenn Teves](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony on Agenda Item C
Date: Sunday, September 17, 2023 8:18:52 PM

Aloha Commissioners,

My name is Glenn Ioane Teves, and I am a Hoolehua, Molokai homesteader. I have been actively involved in the affairs of CWRM since implementation of the State Water Code in the early 1990's, and I'm very concerned about the recent turn of events leading to the reassignment of Mr. Kaleo Manual. The deputy chair serves at the pleasure of the commission and I haven't seen any action by CWRM that would indicate a reassignment. The knee-jerk action by the chair shows a lack of discernment and experience navigating water issues and this is of great concern. Standing behind her deputy if his actions are pono is the first duty of the day, and anything less is unacceptable. This shows she's not up to the job and should step down. Civil Beat first convoluted the story and Republican pundits and conspiracy theorists jumped in to finish it off and by that time it was so far from the truth.

Maui Water Company took advantage of the moment during the destruction of Lahaina and attempted to wrestle water from others and they cannot be trusted going forward. They were so far from the epicenter and weren't in danger. Do not be duped by these individuals who only care about themselves and their bottom line. This unfortunate incident put the State in a precarious situation in the eyes of many and exemplifies a lack of experience by State leadership to take control and clearly define what is going on. A weak County agricultural ordinance created fake farms such as Launiupoko by speculators who now want to take water from others, and this cannot occur.

I hope the commission can reinstate Mr. Manual and stand their ground no matter the political fallout. We cannot be allowed to twist to and fro by every action occurring outside our state. All that matters is that we're pono in our actions.

Mahalo,

G

From: [Nanea Lo](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water Commission Meeting - Agenda Item C-1
Date: Sunday, September 17, 2023 8:24:45 PM

Hello Chair and Commissioners,

My name is Nanea Lo, and I reside in Mō‘ili‘ili, O‘ahu. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui’s streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama‘āina in the decisions about their future.

ola i ka wai,

--

Nanea Lo (*she/they/'o ia*) | Micro-influencer

Admin & Program Coordinator | [HAPA](#)

Hawai‘i Alliance for Progressive Action 5013-c

Board Member | [Hawai‘i Worker's Center](#)

Granter | [Hawai‘i People's Fund](#)

Kona Representative | [O‘ahu Burial Council](#)

Commissioner | [O‘ahu Historic Preservation Commission](#)



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"Some people say that Hawai‘i will be a better place when Hawaiians no longer stand in the way of progress. But even these people must know that at this point, this will no longer be Hawai‘i." - Jonathan Kay Kamakawiwo‘ole Osorio. The Value of Hawai‘i

From: [Alison Beard](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for Water Commission Meeting 9/19/23
Date: Sunday, September 17, 2023 8:32:48 PM

Aloha Chair and Commissioners,

My name is Alison Beard, and I reside in Makawao, Hawaii. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from

those effected by your decisions.

Mahalo,

Alison Beard

Makawao, Hawaii

From: [Kayo Malik](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Item C-1
Date: Sunday, September 17, 2023 8:36:07 PM

Aloha,

My name is Kayo Malik and I reside in Napili, Maui.

In regards to Item C-1, I ask that you

- uphold the West Maui Water Management Area designation
- stop letting corporations hog the water
- follow the law and ensure the interim instream flow standards for West Maui are being met
- reinstate Kaleo Manuel as Deputy Director.

It is your job to ensure that Lahaina has water for

- residents and their basic needs
- fair housing options for working families
- the restoration of Lahaina
- jobs and a regenerative economy
- agriculture that feeds people, creates jobs and reduces the risk of wildfires
- stream flow to recharge the aquifer and nurture fish populations, in important part of Lahaina's ecosystem

You should be working for the PEOPLE!

Sincerely,
Kayo Malik

From: [‘Ānela Evans](#)
To: [Kaaa, Iwalani HR; DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 8:51:15 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is ‘Ānela Evans and I live in Kaimukī. I was raised from birth on the island of Lāna‘i. My ‘ohana has ancestral ties to Maui Komohana that can be traced back many, many generations and that connect us to the land and deities of that place.

I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, ‘āina, and future generations.

E Ola i ka wai!

Ke Aloha Nō,
‘Ānela

Sent from my iPhone

September 17, 2023

To: Iwalani Kaaa (iwalani.hr.kaaa@hawaii.gov) and dlr.cwrp@hawaii.gov
From: Maile Loo [REDACTED]

Subject: Testimony for Water Commission Meeting on Tuesday, 9/19/2023

Greetings Chair and Commissioners,

My name is Maile Loo, and I reside on the island of O'ahu, but both my ancestors and my husband's family are from Maui. Regardless of our personal Maui connections, we are concerned citizens of Hawai'i and Kanaka Maoli, and we support and testify to the following:

- We request that the commission uphold the West Maui Water Management Area designation
- We request Chair Dawn Chang reinstate Kaleo Manuel as the Deputy Director of the Commission
- We request verification that West Maui Land Co. is complying with instream flow standards and that the interim instream flow standards for West Maui are being met

Finally, the Commission should be working for the people, so please re-center Maui kama'aina in decisions and hold your next meeting on Maui where these dedicated kama'aina are so you can hear directly from those most affected by your decisions.

There are lessons to be learned from this horrific tragedy, and inclusion of committed kama'aina who bleed red (for Lahaina) will both inform discussions and keep decisions grounded in what matters – the people and the land. Lāhainā deserves better than its had.

Thank you for your time and consideration,



Maile Loo

Concerned community member

From: [Kaleimaile Robia](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony in support of upholding Hawaii's Water Code and reinstating Kaleo Manuel as Deputy Director of the Water Commission
Date: Sunday, September 17, 2023 9:39:11 PM

To: Commission on Water Resources Management
1151 Punchbowl Street
Honolulu, Hawaii 96819
Email testimony: iwalani.hr.kaaa@hawaii.gov

From: Kaleimaile A. Robia

Re: Testimony in support of upholding Hawaii's Water Code and reinstating Kaleo Manuel as
Deputy Director of the Water Commission

Date: September 17, 2023

I am testifying in support of the working families of Lahaina and the protection of their water. The Water Commission must act to protect the freshwater resources of Maui Komohana for the working families of Lahaina, and protect water resources across the Hawaiian Islands by ensuring that the Water Code is upheld and Deputy Director Manuel is reinstated in his position.

I am very concerned that Hawai'i's imperiled freshwater resources are being abused because some corporations are diverting streams and drilling wells without adequate oversight by state officials. News reports show that West Maui Land Company attempted to scapegoat Kaleo Manuel for the lack of water to fight the wildfires in Lahaina.

I am very disappointed that it appears Dawn Chang succumbed to pressure from West Maui Land Company. She removed Kaleo Manuel as the Deputy Director of the Water Commission without cause and without authority to do so. In his absence, streams are once again beginning to run dry. Without Deputy Director Manuel in place, I fear that the Water Code as a whole may not be implemented.

Thank you for doing everything in your power to fully enforce the Water Code, restore your appointed staff, and protect our public trust water resources from abuse.

Me ka ha'aha'a,

Kaleimaile A. Robia

From: [Michelei Kahae](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 9:43:52 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My Name is Michelei Tancayo. I'm here to send my support for the West Maui communities, who have fought long for their rights to have freshwater resources restored, for use through management, that ensure there is enough water for everyone.

Food and water, both are intertwined and inseparable. It takes water to grow food and so food security relies on a foundation of water security. It takes water to grow kalo and so kalo security relies on a foundation of water security. As a kalo farmer, I don't have to tell you the connection between food and water. I just need to make sure you understand that the value of kalo, as a food source, as our source of life, culture and identity as native Hawaiians, IS IMPORTANT and VALUABLE!

Therefore, I kindly ask that the commission uphold the Maui Komohana Water Management area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code; and manage and protect our most precious resource for our communities, aina, and future generations.

Ola I Ka Wai,
Michelei Tancayo
Lahaina

9/17/2023

Re: Testimony submitted prior to the Meeting of the Commission of Water Resource Management on:

DATE: September 19, 2023 at 9:00 a.m.

Submitted to: iwalani.hr.kaaa@hawaii.gov and dlr.cwrwm@hawaii.gov via personal email.

Aloha e Chair, Vice Chair, and Water Commission of Water Resources Committee Members,

I'm Carolyn Unser, a Haleiwa resident, supporting the Water Commission's duty to uphold the State Water Code. We must reevaluate century-old water diversion rights due to changed purposes, new environmental insights, protective instream flow laws, and climate change challenges.

With an M.S. in Natural Resources and Environmental Management and as a Hawaii Agricultural Leadership Class XV alumni, I urge you to reconsider past diversions. While agriculture thrived for 150 years, we must now prioritize the majority's needs while recognizing Native Hawaiian water rights. Protect agricultural use while adopting modern standards, recognizing that past diversions disrupt natural water flow. The scientific evidence against stream diversion postdates initial decisions.

Hawaii's water is a public trust, protected by the Constitution and Water Code. Let's ensure its future protection.

Mahalo,



Carolyn Unser

96712

Aloha,

My name is Katie Austin. Testifying on agenda C. I run Kahana Canoe Club based out of Hanaka'o'o in Lahaina. For years we have watched our water from our streams be diverted, from what was once flowing, to now nonexistent. I am testifying for you to uphold the Maui Komoahana water management area designation. I also want to push for Kaleo Manuel to be reinstated as deputy director. Within the past 5 years Kaleo Manuel has done more for the community and the aina than has been seen in over 40 years. He has changed the course of years of historical negligence of public trust purposes. He has protected native Hawaiian rights and agricultural potential of west Maui from luxury developments. The false narrative that pushed him out of his position was detrimental to Maui Komoahana. It also has shown the corporate greed by West Maui Land company who is at the root cause of our community being dry and susceptible to the fire we just had. The government has mismanaged Lahaina regarding water for years, Kaleo Manuel was the first to try and change that. I urge you to return the water to who it belongs to. Interim instream flow standards need to be met, and not a single land company should have full water rights.

Our community needs to have water. When you drive over the pali, you first see Launiupoko lush and green, then you hit Lahainaluna, down to Wahikuli.... Dry, crispy. The second you hit Ka'anapali, green again. Water restrictions only for our local neighborhoods. The people of this land, who you should protect, who deserve this water can't use it. We are told, don't wash cars, don't water grass. Yet Launiupoko waters acres of grass, Ka'anapali has golf courses and lush green lawns, pools everywhere.

The county and state need to protect water rights for our aina and people, not help corporations steal our water and use it for monetary gain.

Mahalo

Katie Austin

Nā Alakaʻi o ʻAhahui o Hawaiʻi

Advocates for Native Hawaiian Justice

William S. Richardson School of Law | University of Hawaiʻi at Mānoa



ʻAHAHUI
O HAWAIʻI
Advocates for Native Hawaiian Justice

Testimony of Nā Alakaʻi o ʻAhahui o Hawaiʻi

Before the Commission on Water Resource Management

Hawaiʻi Department of Land and Natural Resources

Tuesday, September 19, 2023, 9:00 a.m.

Kalanimoku Building, Room 227

1151 Punchbowl Street, Honolulu, Hawaiʻi 96813

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha e Chair Chang and Commissioners,

We are the alakaʻi of ʻAhahui o Hawaiʻi (“the Hui”) at the William S. Richardson School of Law. We are the oldest student organization at the law school and the only one dedicated to advocating for Native Hawaiian justice and uplifting the Lāhui. Our current membership consists of 88 law students, many of whom choose to focus their legal studies in areas most likely to affect Native Hawaiian communities, providing us with a stronger understanding of the laws governing traditional and customary practices, water management, and environmental protection. Additionally, many of us have spent time over the last year assisting community members with their water use permit applications and advocating for the restoration of streamflow in Maui Komohana, especially in light of the recent wildfires.

We submit this **testimony in strong support** of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights;
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management;
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable;
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area; and
5. The Water Commission should re-center Maui Kamaʻāina in the decisions about their future and hold its October 17 meeting on Maui to hear directly from those most affected by the fires.

Through our legal studies and our engagements with community members we have become intimately familiar with the State Water Code (HRS Ch. 174C), the Hawaiʻi State Constitution and its provisions describing the public trust doctrine (Art. XI, §§ 1, 7) and traditional and customary practices (Art. XII, § 7), and the relevant case law concerning water rights in Hawaiʻi. These laws, both in letter and in spirit, clearly establish that this Commission’s essential duty is to ensure fair distribution of water

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O HAWAII
Advocates for Native Hawaiian Justice

resources for the benefit of present and future generations. We believe that this duty was effectuated most successfully through the work of Deputy Director Kaleo Manuel and the unanimous designation of Maui Komohana as a Water Management Area. We believe that this duty can not be met through decisions based on the agendas of for profit corporations, such as West Maui Land Co., who have historically enriched themselves through the diversion and exploitation of water. Likewise, regardless of the position taken by the current administration, the Commission cannot meet this duty if designation is lifted or the Water Code is suspended, as it was in the immediate aftermath of the August 2023 wildfires. The only way for this Commission to uphold its legal duty in a pono way is to reinstate Deputy Director Manuel, respect the designation of the Maui Komohana Water Management Area, and re-center Maui Kamaʻāina in all decisions being made about their future.

We represent a growing number of Hawaiʻi born and raised citizens and Kānaka Maoli, fed up with the influence of corporate greed affecting our communities. Our Hui stands apart as a group dedicated to long term change by standing up whenever the Government falls short of their duty to the Hawaiian people. As our members continue to enter various fields in service to Hawaiʻi, we stand as beacons, aimed at upholding Constitutional obligations for the betterment of our future generations. We are a voice of Hawaiʻi's law in the present, past, and future as we commence our 50th year as a student organization dedicated to protecting Native Hawaiian Rights. We have and will continue to stand with the rights of the people as members of the community, and as students of the law.

The Hui has faith that the Commission will remedy the mistakes of the past and make the necessary reparations to Lahaina community members directly impacted by over a century of mass diversion and the recent devastation of the August 2023 wildfires. Through this process, the Commission must not afford undue influence to the corporate entities who would seek to profit from the disaster and have lobbied the Commission both publicly and in private to lift designation and amend IIFs in their favor. In this time of huluhia, we need the Commission's help to uphold the law and ensure the equitable restoration and management of freshwater in Maui Komohana.

Mahalo for the opportunity to provide this testimony.

E hoʻi ka wai!

Nā Alakaʻi o ʻAhahui o Hawaiʻi

Nā Alakaʻi:

Kawaiuluhonua Scanlan (ʻ24)

Dru Hara (ʻ24)

Andrea C. Leialoha Swain (ʻ25)

B. Oriana McCallum (ʻ25)

**COMMENTS ON ITEM C.1. UPDATE ON
WATER RESOURCES IN THE LAHAINA AQUIFER SECTOR AREA**

TO: Chairperson Dawn N.S. Chang
Commissioners, Commission on Water Resource Management

FROM: Troy J.H. Andrade, Ph.D., J.D.

RE: COMMENTS ON ITEM C.1. UPDATE ON WATER RESOURCES IN THE
LAHAINA AQUIFER SECTOR AREA

DATE: Tuesday, September 19, 2023
TIME: 9:00 A.M.
PLACE: DLNR Boardroom, Kalanimoku Building
1151 Punchbowl Street, 1st Floor / Online via Zoom

I am a lawyer, tenured law professor, and legal historian with familial ties to West Maui, but I write today in my individual capacity to express comments regarding the role of the Commission on Water Resource Management (“Commission”) as it relates to water resources in Maui Komohana.

As you are aware, for generations, Kānaka Maoli created and stewarded a unique system of resource management, which included continuous stream flow from mountains to the ocean that supported traditional agriculture and aquaculture, recharged groundwater supplies, and sustained productive estuaries. Water would ultimately return to its original source to allow for a continuous cycle. This sophisticated system comprised all resources necessary for entire communities to survive and thrive.

Kānaka Maoli understood the importance and value of fresh water and worked to ensure its protection. Indeed, given that water was divinely revered, water could not be commodified or reduced to physical ownership. Instead, ali‘i managed water as a resource for the benefit of the region and island community. Because water was the society’s lifeblood, laws developed around water management reflected its vital role as a public trust resource for present and future generations.

Over time, the ali‘i kuleana to steward our precious water resources for the benefit of the community transferred to the State and now the Commission. Unprecedented constitutional amendments, bold statutory mandates, unyielding case law, and strong administrative rules have been developed to empower the Commission—alongside the community—to steward our water resources and bear the kuleana of our ancestors.

Under Deputy Director Kaleo Manuel’s servant leadership, the Commission has—for the first time in a long time—taken significant steps toward fulfilling its kuleana. The Water Management Area designation in 2022 for Maui Komohana was one of those major steps. The

Commission took its legal obligations seriously and respected the need for stewarding the precious fresh water resources of that community. The age where corporate interests would dewater streams for private use and continue to rip apart the community was coming to an end. The path seemed set for a reimagining of what the community, rich with flowing water, could be in Maui Komohana.

It was, thus, absolutely disgusting to see, following the devastating fires in Lāhainā, disaster capitalism rear its ugly head. It was particularly disheartening to see the corporate maneuvering and media coverage that falsely painted Deputy Director Manuel as complicit in the fires for his role in upholding the legally required kuleana he bears with the Commission. Instead of standing behind Deputy Director Manuel, I was absolutely shocked to read about the decision to reassign him. In one fell swoop, whether intentional or not, the reassignment of Deputy Director Manuel provided corporate interests success in effectively sidelining one of the staunch protectors of water as a public trust. In one fell swoop, whether intentional or not, the reassignment of Deputy Director Manuel sent a message that our leaders were willing to ignore all the community-driven work, in partnership with the Commission, to create the Water Management Area designation. But, perhaps even more troubling for the system, in one fell swoop, the reassignment of Deputy Director Manuel undermined the historic gains of the Commission in fulfilling its kuleana and destabilized the Commission's credibility in the community.

The Commission needs to take control of this situation. Before it even considers actions on water resources in the Lahaina Aquifer Sector Area, the unnecessary reassignment of Deputy Director Manuel must come to an end. I, thus, respectfully implore you to reinstate Deputy Director Manuel. Please send an unequivocal message to the community that their voices were heard, that Deputy Director Manuel did nothing wrong, that the Water Management Area designation and water use permitting process will proceed, and that the Commission still respects the rule of law. Furthermore, please show your respect and aloha for those in Maui Komohana seeking water by holding your next meeting on Maui.

Our beloved William S. Richardson, former Chief Justice and namesake of Hawai'i's only law school, concluded in *McBryde Sugar Co. v. Robinson* that water could not be privately owned. He famously said, after being about *McBryde* and how he came to that decision, "Think of the little guy, the guy downstream." Everything he did as a judge and leader came down to thinking about the little guy downstream who will ultimately bear the consequences of his actions. I urge you to heed CJ Richardson's advice, and to think about everyone downstream as you make your decisions. In the end, it is the community all the way downstream whose access to water has been diverted for decades that will continue to bear consequences of your actions.

From: [kaila Makahanaloa](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Attention Chair Chang and Commissioners
Date: Sunday, September 17, 2023 10:15:00 PM

Aloha Chair Chang and Commissioners,

My name is Meikaila Makahanaloa, and I live in Lahaina, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership kōkua now more than ever. I write this in hopes that you will listen to the people of this 'āina and make changes that we know will make a difference not only for us in this time but for the future of this 'āina and the generations to come. Now you have a chance to make that change, do not make the same mistakes.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Meikaila Makahanaloa

From: [Sam Magnotto](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 10:19:18 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Sam Magnotto. I am an emergency room nurse at Maui Memorial Medical Center and I live in Pa'ia. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Sam Magnotto, RN*

[Sent from Yahoo Mail for iPhone](#)

From: [Allison Shiozaki](#)
To: [Kaaa, Iwalani HR](#); dlnr.cwrm@hawaii.gov
Subject: [EXTERNAL] Item C-1
Date: Sunday, September 17, 2023 10:20:57 PM

Aloha Chair and Commissioners,

My name is Allison Shiozaki, and I reside in Hilo, Hawai'i Island. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Allison Shiozaki
Hilo, Hawai'i

From: [Adeline Griffin](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comment on item C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 10:45:27 PM

To whom it may concern,

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by colonial plantations and now luxury developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by greedy corporate water hoarders.

I kindly ask:

- that the commission uphold the Maui Komohana Water Management Area designation
- ensure that the updated interim instream flow standards for West Maui are being met
- reinstate Kaleo Manuel as deputy director
- urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations

Regards.

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha my name is Oriana McCallum, I am a resident of Kahuku.

I am testifying on agenda C1 concerning the recent decisions this committee has made that directly affect the future welfare of those who have already suffered more than anyone could have ever imagined!

I strongly believe that water is key to Maui Komohana's future recovery efforts in the wake of the wildfires, that Maui Komohana's people must be centered in all decisions impacting future water designation of the area, and that reinstating Deputy Director Kaleo Manuel is key to ensuring that the interests of the people of Maui Komohana are kept at the forefront of decisions concerning water designation of this area.

This committee has made very questionable decisions which promptly followed announcements from ruthless corporate entities who see Lahaina's great tragedy as an opportunity to further manipulate those in power to support their corporate agendas.

I am a second year law student and an Alaka'i o 'Ahahui o Hawai'i, but I am first a single mother and sole-provider of three young men who will soon all be a part of the working class of this island. It is because of the lack of integrity and questionable choices by government officials in my own community that I have been inspired to pursue a degree in law.

I implore you to honor the sacred duties that you have been entrusted with. I implore you to think of the future generations that you will be affecting. I implore you to make choices with integrity, having the best interests of the people at the forefront of your minds. I implore you to be transparent with the agendas of corporate entities who approach YOU, the trustee of the greatest resource of the people of Hawai'i.

1. Reinstate Deputy Kaleo Manuel
2. Respect the designation of Maui Komohana as Water Conservation Area
3. Center the People over Corporations in all future decisions made!

Malama Pono, Ola i ka wai,

B. Oriana McCallum

From: [Nalani Abellanida](#)
To: [Kaaa, Iwalani HR](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 11:13:11 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Nalani Abellanida and I live in Lahaina, Maui in Hale komohana housing across from puamana since 1991 when my backyard was filled with sugar cane and we could hear the trucks drive by on the daily. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Nalani Abellanida

Sent from my iPhone

From: [Kuulei Tengan](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 11:47:04 PM

Chair Chang and members of the Commission on Water Resource Management,

My name is Ku‘ulei Tengan and I live in Pālolo, Waikiki, Kona, O‘ahu. I am writing today to offer my unequivocal support for the West Maui communities’ many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my deep appreciation to the commission and your work to manage and uphold the public trust in our precious wai. I’d like to recognize and show thanks especially for the immense strides made under the fearless leadership of Kaleo Manuel.

West Maui’s communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui’s freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders. Hewa!

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim in-stream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, ‘āina, and future generations.

Ola i ka wai, Ola!
Ku‘ulei Tengan



From: [Etan Krupnick](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Sunday, September 17, 2023 11:55:34 PM

Aloha,

I'm writing this testimony because I feel that right now we need to create more affordable fee simple housing to own for our local people. All future development project on Maui should be affordable housing. I'm tired of looking at property for sale on the continent because I can't afford a home in my home town Lahaina Maui.

With that said, I want to personally say the Kaleo Manuel should not be reinstated. He failed our Lahaina town by stalling to provide water. Kaleo is also very biased towards what kind of a Hawaiian you are. He made that very clear on how close relationships he has with the so called activists.

I live in Kahoma Valley, my neighbors and I did not want CRWM on the west side. It would mean more regulations and permitting procedures to go through when all we want to do is farm. We didn't succeed, so now we are here. I filed for the appropriate water applications. I even filed for my Kuleana rights permit as a Kanaka.

These activists have said in these water meetings that they don't have to get a water permit. Kaleo let's these people use as much water as they want. So why does Kaleo make someone like me and my neighbors have to apply for a permit? Because like I said Kaleo is biased.

Who ever holds a position like that he used to hold, should not be biased. They shouldn't have personal relationships with activists, developers, or any future water permit candidates.

These activists wanted CRWM here on the west side, so they as in the activists, all need to apply for water permits just like I and so many other farmers on the west side had to do in July.

Mahalo,
Etan Krupnick

From: [Leimaile Quitevis](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water Testimony
Date: Monday, September 18, 2023 12:09:57 AM

Aloha Chair and Commissioners,

Mahalo for your time. I am testifying in support of:

1. Listening to the voices of the local residents most impacted by the agenda items of this hearing (which to my understanding includes the remaining items listed below).
2. Upholding the State Water Code and sharing water resources fairly and sensibly, with local residents' needs put before visitors or part-time residents.
3. Assuring that all private companies are in compliance with instream flow standards and other laws and regulations
4. Respecting the existing designation of Maui Komohana Water Management Area
5. Providing a fair, thorough and neutral investigation as to why Kaleo Manuel was removed as the Deputy Director of CWRM, with swift action to restore him to his position if there is no clear evidence of negligence or wrongdoing.

In general, many residents do not have the information, resources and wherewith all to know of hearings, where to get information related to the agenda items to develop an informed stance, and how to submit testimony. These challenges that prevent decision makers from having the true and full scope of what their constituents/stakeholders feel is best for them, are much further exacerbated for West Maui residents impacted by the wildfires on 8/8/23. For many, even electricity and internet access is limited to none, as well as spare time to learn of and participate in political matters.

Thus, I humbly request that you trust and account for the fact that for every one West Maui resident that does submit testimony, there are many who did not, but feel the same way. Likewise, while I do not speak for our staff or kumu at our nonprofit, or stakeholders across our 20 partner schools, I am

confident that a majority would surely agree with item 1 above, and would agree with the remainder if given adequate information and time.

Mahalo nūnui,

Leimaile Quitevis

From: [Latai Soakai](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 12:16:17 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Latai Soakai and I live in Kaaawa but was born and raised on Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Since this horrific event in Lahaina, it has become more evident and imperative than ever to insure our most valuable resource - wai (water) is revered, protected, and allocated in a way that first most benefits the land, its caretakers (our local community) and all the future generations to come. Growing up in Hawaii, certain values and morals are instilled into you from a young age. We learn that wai is life and waiwai is wealth. We experience first hand the intimate relationship between aina and kanaka. Without water we cannot survive. It seems our beautiful home and those whose kuleana it is to govern us has put aside those core values, as the current state of our people and land in Lahaina proves. The people are broken and have been wrongfully disconnected from our source physically and spiritually. Now the land is suffering because of it. We need water to live. Water is life. Water is wealth. We all know this which is why it is so evident the greed and grab for it. But our wai is being mismanaged and our community is now suffering unimaginably because of such neglect and selfish corporate, elite interests. So the only solution is to restore the natural flow of wai.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our

communities, āina, and future generations.

Ola i ka wai,
Latai Soakai

From: [Ty Kawika Tengan](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 12:16:58 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Ty Kāwika Tengan and I live in Wai‘ōma‘o, Pālolo, in the ahupua‘a of Waikīkī; I am originally from Waiehu, Maui. I am a professor of ethnic studies and anthropology at the University of Hawai‘i at Mānoa and have previously served as an expert witness before this commission testifying in two separate cases on behalf of Maui kalo farmers in Nā Wai ‘Ehā and East Maui who sought—and won—the restoration of streams vital to the perpetuation of Native Hawaiian traditional and customary practices and the very regeneration of all lands and people fed by the public trust that is our wai.

I write today in support of the West Maui communities’ many years of hard work to restore their wai and establish pono management practices for the benefit of all—an accomplishment that built upon the important precedents set by the other Maui water cases I was involved with. I extend my mahalo to the commission for previous decisions to protect and restore our wai, particularly under the leadership of Kaleo Manuel. I know Kaleo to be a man of integrity whose expertise and ability to work with the community is rare.

We find ourselves here today because the deadly wildfires in Lāhainā have shown us the true cost of colluding with the corporate dewatering of our islands' peoples and places. The Water Commission has an opportunity now to remember its obligation to uphold the public trust, and to trust that the public will uphold their own obligations and remember this Commission's actions.

I kindly ask that the Water Commission maintain the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, ‘āina, and future generations.

Ola i ka wai,

Ty P. Kāwika Tengan, Ph.D.
Professor, Departments of Ethnic Studies and Anthropology
Program Coordinator, M.A. in Applied Cultural Anthropology in Hawai‘i, the Pacific, and Asia, Department of Anthropology
Pronouns: ‘o ia/he
University of Hawai‘i at Mānoa
Ph: [REDACTED]
Email: [REDACTED]

From: [Prudence Kelly](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Lahaina water
Date: Monday, September 18, 2023 12:18:13 AM

Reroute the water back to its natural state

Aloha Chair and Commissioners, My name is Leialoha Kelly, and I reside in Sacramento Ca

Half of my lineage is from Maui as a displaced kanaka maoli
I want to take a stand for the Lahui

I see this as a tragedy that could've been prevented for example

James Campbell is the one that caused the damage by putting that sugar mill there that ruined the soil & it functioned there from the 1860-1999 creating a tinderbox

Also there was a fire in 2018
And y'all were told then to mitigate, fix, repair but nothing

<https://www.washingtonpost.com/weather/2023/08/22/maui-fire-2018-lahaina-warning/>

So all developers, real estate companies, all of them committed a crime knowing front & center what was going on

They need to be held accountable when this problem was ignored for generations

People knew and did nothing
Hewa!!!

This would be a great time to make Maui sovereign with absolutely no tourism after they malama the land, that would be a great way to mend the trauma of displacement & settlers pushing natives out of their Aina it would also give Kanakas independence & opportunity to make Maui self sufficient without USA forcing Kanaka to depend on tourism, which is in many ways harming the land & people.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following: 1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native

Hawaiian water rights.

2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.

3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable. 4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.

5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions. Mahalo,

Prudence Kelly, Sacramento Ca

#lahainastrong

From: [Laura Sakamoto](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 1:16:07 AM

Aloha Chair Chang and Members of the Commission on Water Resource Management, my name is Laura Sakamoto and I live in Lahaina. I am writing today in support of the West Maui Community's many years of hard work to restore their fresh water resources and ensure there is enough water for everyone. I've taught 8th grade Earth Science at Lahaina Intermediate for the past four years. The importance of restoring and maintaining the Hydrologic Cycle's biological integrity must be paramount above all private and corporate interests. The well being of our aquifers and offshore waters depend upon mauka to makai flow. For 150 years Pioneer Mill, now West Maui Land Co. have selfishly worked against exactly that. I make the analogy to my students that you "wouldn't cut the veins to your arm and expect your hand to live". The Lahaina Fire proved that. It is time to truly Malama 'Aina. To say no more to the corporate water hoarders. To let the waters flow mauka to makai, recharging the aquifers, nourishing the kai. To finally restore West Maui's biological integrity!

I kindly ask that the Commission uphold the Maui Komohana Water Management Area Designation, ensure that the updated interim instream flow standards for West Maui are being met, reinstate Kaleo Manuel as Deputy Director, and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our community, 'aina, and future generations.

Mahalo for your time and consideration. E Ola I Ka Wai,
Laura Sakamoto



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From: [Jen Frey](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Support
Date: Monday, September 18, 2023 1:35:58 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Jen Frey and I live in Philadelphia but previously resided in Hawaii. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I have heard the stories of the natives and locals related to the water issues and support their voice in returning fair water allocation practices.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Jen Frey*

Sent from my iPhone

From: [Kamalani Keahi](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony
Date: Monday, September 18, 2023 1:49:43 AM

Aloha Chair and Commissioners,

My name is Kamalani Keahi and I reside in Kahului. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Please understand that these request come from a place of wanting better for Lāhainā as a whole. Not just for our own personal interest and gain. Please do the right thing. Please listen to your local people.

Mahalo,

Kamalani Keahi
Maui, HI

From: [vie vie](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony
Date: Monday, September 18, 2023 2:11:26 AM

Aloha Chair and Commissioners,

My name is Ilsbeth Fa Si Oen, and I reside in Amsterdam, the Netherlands. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Ilsbeth Fa Si Oen

Amsterdam, the Netherlands

From: [Caitlin Padgett](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 3:19:59 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Caitlin and I am from Puerto Escondido, Oaxaca, Mexico. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

This is a challenge we are facing in my part of Mexico as well. I firmly believe we ALL have the opportunity to be on the right side of history right now - by making conscious decisions that will benefit communities and generations to come - instead of only making resources available to a privileged few.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Gracias,

Caitlin

From: [FaceCoach Maui](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL]
Date: Monday, September 18, 2023 5:00:03 AM

My name is Lucas Gordon, I am born maui, raised lahaina. My father died in the fire. Our water(wai) has been diverted, stolen from all of west maui since I was a toddler. It has affected the land and the sea. The fishing, hunting, surfing, morale. I use to be able to hike to a waterfall nearby when I was younger. No water anymore =devastation. We have been lied to, never a solid yes or no answer. Pull your heads out of your luxury air conditioned homes and cars. Leave what is rightfully for the land. Bumbai you learnie

From: [Terry Patterson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water Commission meeting September 19th, 2023
Date: Monday, September 18, 2023 5:16:52 AM

Aloha Chair and Commissioners,

My name is Teresa Patterson and I reside in Kihei.

The false arguments by West Maui Land Co. that **stream protections were to blame for the fire is not just concerning, IT IS ALARMING.**

And taking this stance and using it to undermine water rights is not only AGAINST the STATE WATER CODE, it is BLATANT ACTION AGAINST NATIVE HAWAIIANS.

It took decades of community advocacy to initiate the STATE WATER CODE which helped restore Maui's streams and protect small farmers from the exploitation of big business.

And making these false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

Kaleo helped to advance stream restoration throughout the state and served nearly four years on the Water Commission. He is the longest serving Water Commission Deputy Director and the first Native Hawaiian to serve in this position.

AGAIN: BLATANT ACTION AGAINST NATIVE HAWAIIANS.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are SHARED EQUALLY, ESPECIALLY FOR NATIVE HAWAIIAN WATER RIGHTS.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission SHOULD VERIFY THAT West Maui Land Co. is COMPLYING WITH INSTREAM FLOW STANDARDS and HOLD CORPORATE INTERESTS ACCOUNTABLE.
4. The Water Commission should RESPECT the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should RE-CENTER Maui Kama'aina in the decisions about THEIR future and HOLD THEIR NEXT MEETING IN MAUI SO THST THEY CAN HEAR DIRECTLY FROM THOSE EFFECTED BY YOUR DECISION.

Teresa Patterson



Kihei, HI. 96753

Laura Lili'u Tomasello

[REDACTED]
Waimānalo, HI 96795
[REDACTED]
[REDACTED]

September 18, 2023

Iwalani Kaaa

iwalani.hr.kaaa@hawaii.gov

Re: Item C-1 CRWM Public Testimony

To Whom It May Concern,

Aloha, my name is Lili'u Tomasello. I am the daughter of Maximilian Otto Eckart and June Leinani Eckart (nee Kala'au). I am a kanaka maoli who was born and raised in Waimānalo, O'ahu and have genealogical ties to the island of Maui. I am also a wife, mother, hula 'ōlapa, and educator within the HIDOE system.

I humbly request that Mr. Kaleo Manuel be reinstated as deputy chair, that the Commission on Water Commission Management uphold the West Maui Water Management designation, and that the CWCM ensures that interim instream flow standards for West Maui are being met. The West Maui Water Designation helped to protect priority Native Hawaiian rights and the environment from the gross exploitation of West Maui water by plantations and developers, exploitation that has been continuous for over a century.

As the commission is aware, "in 1978, Hawai'i's people elevated resource preservation to a constitutional mandate by adding specific provisions protecting Hawai'i's natural resources and indigenous culture. Article XI, § 1 of Hawai'i's Constitution provides that "all public natural resources are held in trust by the State for the benefit of the people." Article XI, § 7 of Hawai'i's Constitution makes specific reference to water, including the directive "to protect, control, and regulate the use of Hawai'i's water resources for the benefit of its people" (*Ola I Ka Wai: A Legal Primer for Water Use and Management in Hawai'i, D. Kapua'ala Sproat, pg. 7*).

Additionally, the courts have since identified "public trust purposes, including: environmental protection, traditional and customary Native Hawaiian rights, appurtenant rights, domestic water uses, and reservations for the Department of Hawaiian Home Lands. *Waiāhole I*, 94 Hawai'i at 137-39, 9 P.3d at 449-51; *Wai'ola o Moloka'i*, 103 Hawai'i 401, 431, 83 P.3d 664, 694 (2004). Public trust purposes **have priority over private commercial uses**, which do not enjoy the same protection. The public trust dictates that "any balancing between public and private purposes must begin with a presumption in favor of public use, access, and enjoyment" and

“establishes use consistent with trust purposes as the norm or ‘default’ condition.”
Waiāhole I, 94 Hawai‘i at 142, 9 P.3d at 454. **Offstream diverters who seek to use water for their private commercial gain have the burden of justifying proposed uses in light of the protected public rights in the resource**” (*Ola I Ka Wai: A Legal Primer for Water Use and Management in Hawai‘i*, D. Kapua‘ala Sproat, pg. 8)

Since the Hawai‘i constitution clearly states that “all public natural resources are held in trust by the State for the benefit of the people”, any decisions being made in regards to the wai of West Maui need to be discussed publicly. The people of Hawai‘i deserve full disclosure on the reasons why Mr. Manuel was removed from his position, and why Governor Josh Green and DLNR Chair Dawn Chang have effectively given total legal control of the West Maui water in question to a real estate developer, West Maui Land Company. The people of Hawai‘i are aware of the ways in which the WMLC has capitalized on the tragedy at Lāhainā to push back against the West Maui Water Management Designations that were unanimously voted for by the water commission in June of 2022. Dawn Chang’s decision to remove Mr. Manuel from his position as deputy chair, and Governor Josh Green’s submission to the request by the WMLC that the water flow standards established by the water commission be suspended, is not only unjust, but also contributes to the further erosion of trust in our elected officials.

Me ke aloha ‘āina,

Lili‘u Tomasello

From: [Julisa Figueroa](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] West Maui Water Resource Management
Date: Tuesday, September 19, 2023 6:11:25 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Julisa and I live in Lahaina. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Julisa*

From: [Melissa Bundek](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Item C-1
Date: Monday, September 18, 2023 6:33:44 AM

Aloha Chair and Commissioners,


My name is Melissa Bundek and I have been a resident and business owner in Lahaina, Hi for over 22 years. I reside at 165 Ala Hoku Pl and my business address is 5095 Napilihau St #108 B, both of which are in the Lahaina area, 96761 zip code.

I am severely concerned that false arguments by West Maui Land Company are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. I have personally been involved with this advocacy, and believe this is an extremely important issue within our community.

The false arguments made by West Maui Land Company have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. Enough is enough!!!

I am writing you to testify my support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are SHARED EQUALLY, especially for Native Hawaiian water rights,
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management,
3. The Water Commission should verify that West Maui Land Company is complying with in-stream flow standards and hold corporate interests accountable,
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area, and finally,
5. The Water Commission should re-center and include Maui Kama'aina in the decisions about their future and hold their next meeting IN MAUI so that they can hear directly from those affected by your decisions.

Sincerely,
Melissa Bundek
Owner - Napili Coffee Store LLC
Lahaina, HI 96761


Commission on Water Resource Management
Hawai‘i Department of Land and Natural Resources
Tuesday, September 19, 2023, 9:00 a.m.
Kalanimoku Building, Room 227
1151 Punchbowl Street, Honolulu, Hawai‘i 96813
Email: dlnr.cwrm@hawaii.gov

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha Chair Chang and Commissioners,

My name is Kawaiuluhonua Scanlan, and I am from Pālolo, O‘ahu. I testify today to request the **immediate reinstatement of Deputy Director Kaleo Manuel** and to remind the Commission of its duty to **uphold the Water Code**.

I am a third-year law student at the William S. Richardson School of Law and I am pursuing a certificate in Native Hawaiian Law. Through my studies over the last few years, I have become quite familiar with the state Water Code (HRS Ch. 174C), the Hawai‘i Constitution including the provisions related to the public trust doctrine (Art. XI, §§ 1, 7) and Native Hawaiian traditional and customary practices (Art. XII, § 7), and relevant case law concerning water rights (*see e.g., Kaula‘i Springs, Inc. v. Plan. Comm’n*, 133 Haw. 141 (Haw. 2014)). These laws clearly require that the State and all its political subdivisions protect Hawai‘i’s water for the benefit of present and future generations.

In June 2022, this Commission upheld their legal duty by unanimously designating Maui Komohana as ground and surface water management areas. As a result, I have spent numerous hours, in good faith, helping community members with their water use permit applications with the hope to return water to the Maui Komohana streams that have been bled dry by gluttonous corporations, like West Maui Land Company. My classmates and I timely submitted those applications the day before the wildfires ravaged Lahaina. While folks were grieving and trying to gather basic necessities, the Governor suspended the Water Code to push his personal agenda and prioritize developer-interests over the interests of actual victims of the fires. Chair Chang supported the Governor’s political antics when she “reassigned” Deputy Director Manuel because the rich guys sent one baseless letter. As a result, diverters, whose homes were protected from flames by saturated lawns and irrigated landscaping, greedily filled their pools and reservoirs while the streams ran dry.

These recent political maneuvers are unlawful. In fact, our courts have repeatedly held that agencies, such as the Commission, have to apply a presumption in favor of public use, access, enjoyment, and resource protection (*Kaula‘i Springs*). In other words, public use and particularly Native Hawaiian traditional and customary water usage must be prioritized over private commercial usage (*see, e.g., Waiāhole I*, 94 Haw. 97 (Haw. 2000)). It is the duty of Hawai‘i’s government to aloha ‘āina and to ensure that water is properly regulated for the benefit of our

people (*see, e.g., Ching v. Case*, 145 Haw. 148 (Haw. 2019)). As of late, the Commission has failed to make decisions congruous to this duty.

Chief Justice Richardson (“CJ”) advocated for the creation of the law school 50 years ago so that local kids like me could access a legal education. He believed in social justice and Native Hawaiian rights, which was evident in his jurisprudence that was foundational to water law today. When asked about the *McBryde* case, in which his court ruled that water cannot be privately owned, he said “think of the little guy, the guy downstream.” (Mari Matsuda, *A Richardson Lawyer*, 2010).

As a beneficiary of his advocacy, I am writing today to do as CJ would do: I am asking the Commission to **honor the Water Code**, as well as your decision to **designate Maui Komohana** in pursuance of your Constitutional duty to protect water resources for the benefit of present and future generations. Restoring stream flow is imperative to Maui Komohana’s future, and the community’s needs must be centered in future decision making. In particular, I am requesting that you **immediately reinstate Deputy Director Manuel**. His leadership and integrity is desperately needed both by this Commission and the larger community. As you make your decisions, please keep in mind the little guys downstream.

E ho‘i ka wai!

Mahalo for the opportunity to testify,

A handwritten signature in black ink, appearing to read 'K. Scanlan', with a stylized flourish at the end.

Kawaiuluhonua Scanlan

From: [Koki](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony For 9/19 9am Water Commission Meeting
Date: Monday, September 18, 2023 6:58:13 AM

Aloha Chair and Commissioners,

My name is Koki Atcheson and I reside in Honolulu. I submit this testimony in representation of myself as an individual. I am concerned to learn of the questionable if not downright unethical arguments used by Maui Land Co. to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small kalo farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission upholding the State Water Code to ensure public trust water resources are shared equitably, and in full recognition of Native Hawaiian water rights.
2. Chair Dawn Chang reinstating Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission verifying that West Maui Land Co. is complying with instream flow standards and holding corporate interests accountable.
4. The Water Commission respecting the existing designation of Maui Komohana Water Management Area.
5. The Water Commission recentering Maui Kama'āina in any decisions about their future. I also support the recommendation to hold the next meeting in Maui and make it accessible to those directly affected by the Commission's decisions.

Respectfully submitted,
Koki Atcheson (Honolulu)

From: [Mikey Burke](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Item C-1 for meeting on 09/19/23
Date: Monday, September 18, 2023 6:59:16 AM

Aloha mai kakou,

This testimony is in regards to item C-1 of the 09/19/23 related to West Maui. I testify as a resident of Lahaina, born and raised. I testify as a homeowner who lost my house and town. I am asking you to do the right thing:

Uphold the West Maui Water Management Area designation.

Ensure the interim instream flow standards for West Maui are being met because it WAS NOT, even though the IFS was already in place.

And equally important - reinstate Kaleo Manuel as Deputy Director. He is the most transparent and fair official we have worked with. And by Chair Chang's own words, he did nothing wrong.

Mahalo,
Michaellyn Burke
[REDACTED] Lahaina, HI 96761

From: [michelle archuleta](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for O'ahu water hearing
Date: Monday, September 18, 2023 7:07:48 AM

Aloha Chair and Commissioners,

Mahalo for your time. I am testifying in support of:

1. Listening to the voices of the local residents most impacted by the agenda items of this hearing (which to my understanding includes the remaining items listed below).
2. Upholding the State Water Code and sharing water resources fairly and sensibly, with local residents' needs put before visitors or part-time residents.
3. Assuring that all private companies are in compliance with instream flow standards and other laws and regulations
4. **Respecting** the existing designation of Maui Komohana Water Management Area
5. Providing a fair, thorough and neutral investigation as to why Kaleo Manuel was removed as the Deputy Director of CWRM, with swift action to restore him to his position if there is no clear evidence of negligence or wrongdoing.

In general, many residents do not have the information, resources and wherewith all to know of hearings, where to get information related to the agenda items to develop an informed stance, and how to submit testimony. These challenges that prevent decision makers from having the true and full scope of what their constituents/stakeholders feel is best for them, are much further exacerbated for West Maui residents impacted by the wildfires on 8/8/23. For many, even electricity and internet access is limited to none, as well as spare time to learn of and participate in political matters.

Thus, I humbly request that you trust and account for the fact that for every one West Maui resident that does submit testimony, there are many who did not, but feel the same way. Likewise, while I do not speak for our staff or kumu at our nonprofit, or stakeholders across our 20 partner schools, I am confident that a majority would surely agree with item 1 above, and would agree with the remainder if given adequate information and time.

Thank you,
Michelle Archuleta

From: [Maydeen Iao](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Item C-1. Stream of Life Flows
Date: Monday, September 18, 2023 7:12:02 AM

Aloha Chair and Commissioners,

My name is Maydeen 'Āo and I reside in Kula, Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.
6. And most importantly, a conscious choice, "he ali'i ka 'āina, he kauwā ke kanaka, the land is chief, the man is its servant. This 'ōlelo no'eau is our kuleana, responsibility. It's a no brainer. The fields are filled with crispy grass, weeds. Nature is reflective of our choices. If you, we, are bold enough to allow all streams to

flow naturally, without control, all the landscapes on each island in Hawai'i nei, will return to its natural beauty. It would also benefit all, to stop telling old stories, ie. There's not enough water, or, we have a water shortage. Change our thought process, our narrative and vision a new co-creation story, that benefit first 'āina, that which feeds, and all its people. We need to re-instate the kapu system, so nature can reset, rest, rejuvenate, resonate, replenish Herself.

Mahalo for allowing this testimony.
On the wings of Angels, we let it fly

Maydeen
Kula Maui

Sent from my iPhone

From: [967Island Chain](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Maui Komohana Testimony
Date: Monday, September 18, 2023 7:13:34 AM

Aloha Chair and Commissioners,

My name is Pono'i Kaho'opi'i, and I reside in Puukapu, Waimea. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Pono'i Kaho'opi'i
Puukapu, Waimea

The reality is that the water reservoirs that West Maui Land Co. asked to fill up could NOT have been used to fight the Lāhainā fires. This is because these reservoirs only serve the luxury estates above Lāhainā, and are not connected to the county water system or any fire hydrants. Plus, the 80-mile-an-hour winds from Hurricane Dora meant no helicopters were allowed to make water drops.

When West Maui Land Company's request to divert water was not immediately granted, they insinuated that stream protections were to blame for the fire, going so far as to blame a single Hawaiian kalo farmer for the lack of water to fight the fire. This resulted in misleading media articles and ultimately Kaleo Manuel, Deputy Director of the Department of Land and Natural Resources' Commission on Water Resources Management (Water Commission), being swiftly removed from his position.

Kaleo helped to advance stream restoration throughout the state and served nearly four years on the Water Commission. He is the longest-serving Water Commission Deputy Director and the first Native Hawaiian to serve in this position.

West Maui Land Co. is exploiting the tragedy in Lāhainā to further justify increasing water diversions under their corporate control. Not only did they unfairly position Kaleo Manuel as a scapegoat for decades-long debates over their own water misuse, but they are now asking the Water Commission to suspend and change the Water Management Designation Area of West Maui (Maui Komohana), which adds permitting and accountability for privatized commercial water use, now and into the future.

These decisions will have ripple effects across Hawai'i. The unfair removal of a Water Commission official who upholds the Water Code under corporate pressure will impact other communities seeking to restore and protect their streams. Undermining the Maui Komohana

From: [REDACTED]
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony regarding Item C-1 of Sept 19 Water Commission meeting
Date: Monday, September 18, 2023 7:18:32 AM

Aloha Chair and Commissioners,
My name is Lorena Martinez, and I reside in Napili, Maui and have been a resident of Maui (specifically West Maui) since April 2018.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Lorena
Napili, Maui

From: [Gretchen Losano](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Agenda item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Monday, September 18, 2023 7:19:36 AM

Commission on Water Resource Management
Hawai'i Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 227
Honolulu, Hawai'i 96813
Email: dlnr.cwrwm@hawaii.gov

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha Chair Chang and Commissioners,

My name is Gretchen Losano, and I live in Honokōhau Valley, Maui.

I am writing in support of the immediate reinstatement of Deputy Director Kaleo Manuel. The recent designation of Lahaina Aquifer as a Special Management Area was crucial for Maui Komahana to finally start to evolve away from the archaic plantation ditch system that has private land developers controlling our most critical resource. Immediately after the fire, that developer made completely false claims regarding the in-stream flow standards and the causes of the fire, when in reality, it is the diversion of the streams and the abuse of the power over the water that has caused Lahaina to become so dry and prone to wildfire. The abuse of the water is the very reason Lahaina burned to the ground. Had this precious resource been managed properly, Lahaina would still be a lush wetland. The re-designation of the Lahaina aquifer was just the very first step of correcting this grave plantation era mistake, and yet the commission's decision making immediately after the fire seems to have blatantly favored the private developer's interests. Please prove our suspicions wrong and re-instate Kaleo Manuel, showing us you do value fair resource management and support the end of plantation-era water mismanagement.

Those of us that rely on the in-stream flow of these rivers (supposedly) protected by the special management designation had just completed the year long process of filing current usage permits and turned them in the day before the fire. My 'ohana is one of the many that filed. And then our water in Honokōhau was shut off FOR AN ENTIRE MONTH. In Honokōhau we currently rely on the plantation ditch system that diverts water from the river, sends it to a treatment facility, and then back to our pipes. That same management system left us without water for a whole month, while every other place in west Maui had more than enough. Driving out of the valley after having to fill up buckets from the stream to flush our toilets and use bottled water to brush our teeth, just to see sprinklers watering lawns in Kapalua, was the harshest reminder of the exact reasons we need this commission to uphold in-stream flow standards and give the proper oversight to the current management practices. When left to their own devices, those in charge of the water diversions do not make good choices. They have been consistently proven to prioritize their gentleman's estates over the community's basic needs. We are entrusting you, the Commission on Water Resources Management, to not be as corrupt as the entities that currently control the water, and bring the balance back to Maui Komahana that we so desperately need, now more than ever.

In addition, it is very important to hold your October 17, 2023 meeting on Maui to hear from our community in the wake of this devastating fire. If tourism is slated to return to west Maui on the 8th, there is no reason not to hear from us in person on the 17th. Please show us you respect us and honor the water codes and Special Management Area designation.

Ola i ka wai!

Mahalo,
Gretchen Losano

Gretchen Losano
Co-Founder

West Maui Green Cycle



*“He ali’i ka ‘āina, he kauwā ke kanaka // The land is chief, man is it's servant”
-‘ōelo no’eau #531*

Good day 'Iwalani Kaaa and Water Commission:

I'm writing on item C-1 to the Water Commission. Let's all get together and stop this from happening. Please do the right thing and stop the private diversion of the stream in Kauaula Valley in West Maui. Currently, the stream is being caught by the West Maui Land Company and used for the Launiupoko Community. Streams of water serve natural purposes in Hawai'i. It has also served cultural and historical purposes, prior to its colonization. Rather serving rich individuals, who wish to divert water for themselves and serve their own communities, we should restore Maui's natural water streams to its original condition. In light of the recent fires as well as the catastrophic Lahaina fire, we have learned that rich companies interested in public water had imposed droughts by following through with their interests in using public water and diverting it for their private use. Over history, doing this has slowly changed the environment around these streams, making them drier. In the end, this type of action had been largely one of the contributing factors to fires occurring in the area. Not only is it about the safety aspect, but it is also about the community aspect as well. All people from various standings whether upper, middle, or lower class, should be able to have access to these streams, in its original state prior to diversion. Biologic diversity has also suffered because of this diversion.

Sage Medeiros-Garcia

Honolulu, Hawaii

From: [Wendy Moran-Ney](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water
Date: Monday, September 18, 2023 7:28:31 AM

Aloha Chair and Commissioners,

My name is Wendy Ney, and I reside in Kahoma Village Lahaina. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Justin and Wendy Ney
Kahoma Village Lahaina

Thank you,

Wendy Moran-Ney


From: [CHANEL GUZMAN](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Written Testimony Water Resource Management: Item C-1
Date: Monday, September 18, 2023 7:36:12 AM

Aloha e Chair Chang and members of the Commission on Water Resource Management,

My name is Chanel Guzman and I live in Kihei, Maui. I am writing today to offer my support for the West Maui Communities' many years of hard work to restore their freshwater resources and to ask you to please come up with management practices that ensure there is enough water for my generation, the generation that comes after me and in perpetuity. I appreciate the water commission and the work to manage and uphold the public trust for our precious water and all the work and effort that Kaleo Manuel has made.

The community of Lāhainā have fought for so long for the return of their rightful water after decades of water theft to feed the for profit sugar plantations and now the luxury homes. The years of hard work are now in jeopardy due to dishonest corporate water thieves.

For the health and well being of our Lāhainā community, I humbly ask that the commission uphold the Maui Komohana Water Management Area designation, ensure that the updated interim instream flow standard for West Maui are being met, reinstate Kaleo Manuel as deputy director and I urge your staff to continue efforts to implement our Water Code and manage and protect our most precious and life sustaining resource for our communities, 'āina and future generations. Mahalo for your time and attention.

Ola i ka wai,

Chanel Guzman

From: [Carmen Jimenez](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Restore the Water back to Lahaina
Date: Monday, September 18, 2023 7:36:30 AM

Aloha Chair and Commissioners,

My name is Maria Del Carmen Jimenez and I live in Hu'elo, Maui. I am concerned that the West Maui Land Co. are being used to undermine the water rights and decades of community advocacy that helped restore Maui streams and to protect the small farmers from exploitation of Big Businesses. These false claims arguments have unfairly scapegoated taro farmers and former Water Commission Deputy Director Kaleo Manuel .

I am testifying in support of the following:

1. The Water Commission should uphold its promise to the state water code to ensure the trust of the public. That being making sure that Water Resources are shared equally, especially with the Native Hawaiians water rights!
2. Chair Dawn Chang should reinstate Kaleo from Manual as the Deputy Director of Commission.
3. The Water Commission make sure that the West Maui Land Co is complying with in-stream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management area.
5. The Water Commission should Re-centered the Maui Kamaaina in the decision about their future and hold their next meeting IN MAUI so that they can HEAR DIRECTLY from those affected by your decisions.

Mahalo,

Maria del Carmen Jimenez

From: [Casey Nagasako](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Lahaina Water
Date: Monday, September 18, 2023 7:37:00 AM

Aloha Chair and Commissioners,

My name is Casey Nagasako and I am a Lahaina resident. Our family has been in Lahaina for generations and have recently lost our home and business that has served the people of Lahaina for over 123 years in the fire. As a mother of 3, I am deeply concerned for the people of Lahaina and for the future for our keiki with the current situation with the water, our life source. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights for the people and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying to support the following:

1. The Water Commission should uphold the the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission
3. The Water Commission should verify that West Maui Land Co. is complying with in stream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting on Maui so that they can hear directly from those affected by your decisions.

Mahalo,

Casey Nagasako
[REDACTED]
Lahaina, HI 96761

From: [Kalena Shim](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Monday, September 18, 2023 7:38:41 AM

Aloha Chair Chang and Commissioners,

My name is Kalena Shim and I live in Lahaina, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications, my Ohana particularly, with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Kalena Shim

From: [Delphine Morice](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] West Maui land co
Date: Monday, September 18, 2023 7:51:46 AM

Aloha

Aloha Chair and Commissioners,

My name is Delphine Morice _and I live in Mililani _ . I am concerned that the West Maui Land Co. are being used to undermine the water rights and decades of community advocacy that helped restore Maui streams and to protect the small farmers from exploitation of Big Businesses. These false claims arguments have unfairly scapegoated taro farmers and former Water Commission Deputy Director Kaleo Manuel .

I am testifying in support of the following:

1. The Water Commission should uphold its promise to the state water code to ensure the trust of the public. That being making sure that Water Resources are shared equally, especially with the Native Hawaiians water rights!
2. Chair Dawn Chang should reinstate Kaleo from Manual as the Deputy Director of Commission.
3. The Water Commission make sure that the West Maui Land Co is complying with in-stream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management area.
5. The Water Commission should Re-centered the Maui Kamaaina in the decision about their future and hold their next meeting IN MAUI so that they can HEAR DIRECTLY from those affected by your decisions.

Mahalo,

Best

Delphine

From: [Loke Aloua](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comment on Agenda Item C-1
Date: Monday, September 18, 2023 7:53:43 AM

Aloha Water Commissioners, Staff, and Chair,

My name is Loke Aloua and I am writing in regards to Agenda Item C-1. This testimony is being submitted in support of the Maui community calls for Dawn Chang and Josh Green to:

- **Stop water grabs and prioritize water equity for cultural practitioners and practices, ecosystems, and resident needs.** Throughout Hawai'i we are seeing further mismanagement of our water by the State and theft of water to corporations, big business, and global real estate companies who disregard the health of the land, water, and people for financial gain. The State cannot continue to sacrifice the collective for a few. The repercussions and damages being created have intergenerational consequences to both the land and people. The way forward is with meaningful, steady, and consistent safe engagements with community followed with just actions that center their voices and needs while too prioritizing the health of the land.
- **Ensure the interim instream flow standards for West Maui are being met.** Instream flow standards help hold life in balance. These standards are vital to all who rely on water for life. The systems that water feeds serve a greater role flowing in streams giving life to the beings who live within the stream and those who rely on the forests which grow along its edges to the vast ocean waiting to receive this cooling water down below. Whether or not you realize it or feel a connection to the source you are a beneficiary of the endless work that water does for all of us.
- **Uphold the Maui Komohana Water Management Area Designation.** One of the strongest benefits of the WMA designation is the ability for communities and concerned citizens to be informed about water decisions being made in their area and creating a process for individuals to participate in these water matters. To remove this designation is to remove the people those who government representatives are responsible to for ensuring that the peoples water is cared for and that the land will have life.
- **Reinstate Deputy Kaleo Manuel to their position on CWRM.** Kaleo has been a servant to the land and people. Through my interactions with Kaleo in water matters he has honored his word, tended to the land and its people, uplifted cultural practitioner needs, and responded to calls for accountability and follow through. Eliminating Deputy Kaleo severed trust and was ultimately shady and shameful. The people know those who honor and love the land, those who serve the people, those who truly care for the health of Hawai'i and her people.

Government only works if people give it power. When government representatives like Green and Chang continue to disregard and harm those who they are elected to serve and protect the system fails and with it the government will crumble. To act in disregard for the people and their calls for equity and justice is to ultimately ask for nothing less than a revolt.

My hope is that the people of Maui are heard and their calls are centered in all actions moving forward.

Mahalo for the opportunity to comment,
Loke Aloua

--

Cocoa cracka butta morning, hāloa till high noon, dry fish poi will meet you.

From: [REDACTED]
To: DLNR.CW.DLNR.CWRM
Subject: [EXTERNAL] Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Monday, September 18, 2023 8:06:07 AM

Aloha Chair Chang and Commissioners,

My name is Keila Paahana, and I live in Mahinahina.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

**Thank you,
Keila Paahana**

Sent from my iPhone

Subject line: Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Toni Eaton and I live in Waikapu. I am a member of the Maui County Board of Water Supply and I work for the Department of Hawaiian Homes Lands but I come before you as an individual and in no way a representative of the two organizations. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Kaleo has been instrumental in preserving our waters here on Maui for traditional and customary practices for many years. I have worked with him on the West Maui Special Management Area for Lahaina as a member of the Maui County Board of Water Supply. He has Na Wai Eha's efforts to restore years of water theft by Wailuku Water Co. and HC&S/A&B/EMI and now Mahi Pono. For once we have someone in a position to help the people of Maui, our whole state, and he gets subjugated because of political pressure? The people of Hawaii deserve better leadership when it comes to our finite natural resources, especially water. Kaleo was turning the narrative to include the people of areas most affected by private purveyors and corporations that think water is a commodity. Water is life for Native Hawaiians.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water

Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,
Toni Eaton

From: [Kealii Guzman](#)
To: [DLNR.CW.DLNRWCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony Water Resource Management Item C-1
Date: Monday, September 18, 2023 8:08:58 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Kealii Guzman and I was raised in Kihei, Maui, now living in Washington State. I am writing today to offer my support for my West Maui 'Ohana's many years of hard work to restore their freshwater resources. I also ask you to please come up with management practices that ensure there is enough water for my generation, the generation that comes after me and in perpetuity. I appreciate the water commission and the work to manage and uphold the public trust for our precious water and all the work and effort that Kaleo Manuel has made.

I am a Full Time Career Firefighter and know that access to water is extremely vital in the work that I do to ensure we have enough resources to help protect people and property and to ultimately save a community. I believe that the return of water to its natural flow of māuka to makai will restore its natural eco-system and grow Lāhainā's native Hawaiian plant population. Let us avoid leaving Lahaina dry and vulnerable to massive wildfires.

The community of Lāhainā have fought for so long for the return of their rightful water after decades of water theft to feed the for profit sugar plantations and now the luxury homes being built on the hills of Launiupoko. The years of hard work are now in jeopardy due to dishonest corporate water thieves.

For the health and well being of our Lāhainā community, I humbly ask that the commission uphold the Maui Komohana Water Management Area designation, ensure that the updated interim instream flow standard for West Maui are being met, reinstate Kaleo Manuel as deputy director and urge your staff to continue their efforts to implement our Water Code and manage and protect our most precious and life sustaining resource for our communities, 'āina and future generations. Mahalo for your time and attention.

Ola i ka wai,

Keali'ihe'enaluonaihe Guzman

From: [Stephanie Frazier](#)
To: Dnlr.cwrm@hawaii.gov; [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] testimony
Date: Monday, September 18, 2023 8:09:32 AM

Aloha Chair and Commissioners,

My name is Stephanie Frazier and I live in Kailua, Hawaii. I am concerned that the West Maui Land Co. are being used to undermine the water rights and decades of community advocacy that helped restore Maui streams and to protect the small farmers from exploitation of Big Businesses. These false claims arguments have unfairly scapegoated taro farmers and former Water Commission Deputy Director Kaleo Manuel .

I am testifying in support of the following:

1. The Water Commission should uphold its promise to the state water code to ensure the trust of the public. That being making sure that Water Resources are shared equally, especially with the Native Hawaiians water rights!
2. Chair Dawn Chang should reinstate Kaleo from Manual as the Deputy Director of Commission.
3. The Water Commission make sure that the West Maui Land Co is complying with in-stream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management area.
5. The Water Commission should Re-centered the Maui Kamaaina in the decision about their future and hold their next meeting IN MAUI so that they can HEAR DIRECTLY from those affected by your decisions.

Mahalo,

Stephanie Frazier

From: [Jendale Kahuanui](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Lahaina water diversion crisis
Date: Monday, September 18, 2023 8:10:51 AM

Aloha I'm sorry that my written testimony is late (not 48 hours prior).

I am writing in regards to the water resource management.

1. I am asking you to uphold the west water management area designation
2. Asking you to ensure the interim in stream flow standards for west Maui are being met
3. Reinstate Kaleo Manuel as deputy director
4. Ask for Dawn Changs immediate resignation for negligent business & ethics violations made against the people of Maui.

Give Lahaina's water back to its rightful place, remove ALL WATER DIVERSIONS!

Lahaina deserves to be replenished. Outsiders have taken it over and are now trying to make it permanent. You CANNOT allow this to happen. It will be blood on your hands. This is not PONO. MONEY & GREED cannot win this fight that you have the chance to do the right thing for the land, its people and the people who have perished in this disgraceful, awful tragedy that could have been prevented years ago. I see it as if you're not trying to make it right, then you are just part of the problem. Make it right.

Aloha,

Jendale Kahuanui

[REDACTED]

Honolulu, HI 96816

[REDACTED]

Sent from my iPhone

From: [Lysha Kamisato](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water commission meeting testimony
Date: Monday, September 18, 2023 8:12:07 AM

Aloha Chair Chang and Commissioners,

My name is Lysha Kamisato, and I live in Lahaina, Maui.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Lysha Kamisato

Sent from my iPhone

From: [David Shormann](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for 9/19/2023 Meeting
Date: Monday, September 18, 2023 8:20:43 AM

Please uphold the West Maui Water Management Area designation and ensure the interim instream flow standards are being met. Do your part to restore Lahaina to a mauka to makai farming area with wetlands and fish ponds. Require hotels to install desalination plants to reduce water consumption from streams. Be proactive in proper land stewardship and fire prevention. Recent research shows downslope, wind-driven fires (like the Lahaina fire) are dominant cause of loss of human life and property destruction since 1999. Be proactive in creating a volunteer fire department that has access to the many small reservoirs lining West Maui. Do everything you can to make sure a tragedy like the August 8 fires can never happen again. Thank you.

Respectfully,
David E. Shormann, PhD
www.diveintomath.com

Watch our 2023 film, [Journey to Novarupta](#), free on YouTube!
U.S. Patent 10,858,088. [Click here](#) to read.
My research papers are available on [ResearchGate](#).
Instagram: [@dshormann](#), [@diveintomath](#)
Proverbs 4:13

From: [Kaikena Guzman](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony Water Resource Management Item C-1
Date: Monday, September 18, 2023 8:20:49 AM

Aloha e Chair Chang and members of the Commission on Water Resource Management,

My name is Ka'ikena Guzman and I live in Kihei, Maui. I am writing today to offer my support for my West Maui 'Ohana's many years of hard work to restore their freshwater resources and to ask you to please come up with management practices that ensure there is enough water for my generation, the generation that comes after me and in perpetuity. I appreciate the water commission and the work to manage and uphold the public trust for our precious water and all the work and effort that 'Anakala Kaleo Manuel has made.

I am a steward to Keanae and Waikapū's lo'i kalo therefore I know that water is essential to the health of our Hawaiian culture and community. I also aspire to become a Firefighter one day and know that access to water will be vital in the work that I will do in the future. I believe that the return of water to its natural flow of māuka to makai will restore its natural eco-system and grow Lāhainā's native Hawaiian plant population.

The community of Lāhainā have fought for so long for the return of their rightful water after decades of water theft to feed the for profit sugar plantations and now the luxury homes being built on the hills of Launiupoko. The years of hard work are now in jeopardy due to dishonest corporate water thieves.

For the health and well being of our Lāhainā community, I humbly ask that the commission uphold the Maui Komohana Water Management Area designation, ensure that the updated interim instream flow standard for West Maui are being met, reinstate Kaleo Manuel as deputy director and urge your staff to continue their efforts to implement our Water Code and manage and protect our most precious and life sustaining resource for our communities, 'āina and future generations. Mahalo for your time and attention.

Ola i ka wai,

Ka'ikena Guzman

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From: [Lillie Makaila](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony - Item C-1 - Mtg on 9/19/2023
Date: Monday, September 18, 2023 8:27:31 AM

Aloha nui!

Please accept this testimony on Item C-1 relating to Water Resources in the Lāhainā Aquifer Sector Area.

Aloha Commissioners,

My name is Lillie Makaila and my connection to West Maui is through my kupunahine kualua Cecilia Kaleikoa Puailihau, who was born in Honokōhau, and whose lineage extends throughout Maui Nui.

Firstly, I would like to mahalo each of the Commissioners for your time & service, and acknowledge that you all serve on this important Commission and receive no compensation for the long hours and good work that you do. You each must care deeply for our water resources to take on this kuleana, and I appreciate your contribution.

In June of last year, the Commission accepted the recommendation to designate Lāhainā Aquifer Sector as both a Surface and Groundwater management area. This was a huge decision, and I mahalo you for choosing to place added protections to the precious waters of West Maui. I understand that the existing water users in this aquifer sector have submitted their applications for water use and patiently await further determination by this Commission. I ask that in light of the tragedy in Lāhainā on August 8 of this year, decisions regarding West Maui surface & groundwater be stayed for another year. The people of West Maui most impacted by decisions on Lāhainā Aquifer Sector water resources have so much on their plate at this time, let's please give them more time to handle pressing matters in their home region without making long-lasting decisions about their water resources while they are stretched so thin and may not have the capacity to participate.

I ask that the Commission ensure that the interim in-stream flow standards for Lāhainā Aquifer Sector are met by surface water users. I have seen troubling footage of the intake at Kauaula Stream that alleges that the West Maui Land Co is not adhering to the flow standards set. Please direct staff to investigate these claims in person and check the state of the stream diversions where these, and any other claims have been made.

I noticed that the agenda for this meeting still lists Kaleo Manuel as the Deputy Director. Kaleo must be reinstated to his position. Chair Chang, as an administrator, you do have the authority to reinstate Kaleo as Deputy, as you had the authority to remove him. I would guess that the AGs might not advise doing so in light of the petition filed on this matter, but you do still have the authority to reinstate him regardless. Please do so. Our community can forgive this wrongdoing if it is corrected as swiftly as the error was made. I encourage you to listen to the voices of the community who are passionately asking for Kaleo's reinstatement. I encourage you to tune out the voice of the Governor and his staff who likely asked you to reassign him to begin with. I ask that you reinstate him in spite of those telling you that it cannot be done.

As time passes without your reinstatement of our trusted Deputy, our capacity for forgiveness wanes, and our demands will not stop at his reinstatement, but will include your removal as

Chair. We cannot support a Chair who is not willing to mihi when an egregious error has been made. Please use your authority to reinstate Kaleo.

Lastly, to the Commissioners besides the Chair. I do understand that you do not have the authority to make personnel decisions regarding the Deputy or any staff. I also agree that an argument can be made that there is much important work to be done and that this work must continue regardless of the politics at play surrounding the removal of the Deputy. I ask that you folks consider that though you do not have a direct say in the reinstatement of the Deputy, you have great power to influence the decision to reinstate him. Consider respectfully demanding his reinstatement by not issuing any approvals until he is reinstated. Consider staunching the flow of the work of the Commission until Kaleo is brought back. Consider that your individual choice to continue to participate without him is a choice to uphold the decision to remove him. Consider echoing the voices of all of us who are calling for his reinstatement by using the authority you do possess as a Commissioner to abstain, to deny, and to disrupt. Perhaps business cannot continue as usual, and perhaps it is your voices and actions that are needed to tip the scales to get Kaleo reinstated. Be radical. We need your help on this matter too.

Mahalo for your time and consideration.

Ola i ka wai,
Lillie Makaila

From: [Makena Guzman](#)
To: [DLNR.CW.DLNRWWM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony Water Resource Management Item C-1
Date: Monday, September 18, 2023 8:24:01 AM

Aloha e Chair Chang and members of the Commission on Water Resource Management,

My name is Mākena Sunset Guzman and I live in Kihei, Maui. I am writing today to offer my support for my West Maui ‘Ohana’s many years of hard work to restore their freshwater resources and to ask you to please come up with management practices that ensure there is enough water for my generation, the generation that comes after me and in perpetuity. I appreciate the water commission and the work to manage and uphold the public trust for our precious water and all the work and effort that Kaleo Manuel has made.

I am a steward to Keanae and Waikapū’s lo‘i kalo therefore I know that water is vital to the health of our Hawaiian culture and community. I believe that the return of water to its natural flow of māuka to makai will restore its natural eco-system and grow Lāhainā’s native Hawaiian plant population.

The community of Lāhainā have fought for so long for the return of their rightful water after decades of water theft to feed the for profit sugar plantations and now the luxury homes being built on the hills of Launiupoko. The years of hard work are now in jeopardy due to dishonest corporate water thieves.

For the health and well being of our Lāhainā community, I humbly ask that the commission uphold the Maui Komohana Water Management Area designation, ensure that the updated interim instream flow standard for West Maui are being met, reinstate Kaleo Manuel as deputy director and I urge your staff to continue efforts to implement our Water Code and manage and protect our most precious and life sustaining resource for our communities, ‘āina and future generations. Mahalo for your time and attention.

Ola i ka wai,

Mākena Sunset Guzman

From: [Chuck Flaherty](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 8:25:35 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

The Hawai'i Island Group ("HIG") of the Sierra Club of Hawai'i ("SCH") would like to express our continued strong support for the West Maui communities' with whom the SCH has worked for many years to restore their freshwater resources and establish management practices that ensure there is enough water for everyone.

HIG appreciates the commission's continued work to manage and uphold the public trust doctrine protecting and preserving our precious wai - especially the immense strides made under the pono leadership of Kaleo Manuel. In particular, Mr. Manuel had begun evaluation of watersheds and streamflows on the island for Hawai'i to determine the extent to which traditional and customary practices and uses, as well as historic watersheds and streamflows, have been undermined over time and what changes must be made to restore this public trust resource to a regenerative state of being. His work and that of CWRM are and will be essential to preventing a devastating fire on the island of Hawai'i similar to the tragedy that has occurred on Maui. Waikoloa Village and Mauna Kea resort have already had close calls and with climate change accelerating, we must all take immediate action.

HIG respectfully requests that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director so that he may continue his pono work; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Mahalo nui loa,
Chuck Flaherty, Chair, HIG

From: [Ashley Galacgac](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony - Agenda Item C.1 for Lāhainā
Date: Monday, September 18, 2023 8:29:20 AM

Aloha Commission on Water Resource Management,

Thank you for the opportunity to submit testimony. I stand in solidarity with our Maui ‘ohana, imploring that all decision-making processes center the Lāhainā community. In light of the wildfire devastation, trust and transparency are crucial in the long-term recovery and healing. It will take everyone to play a part in doing what is right during these times and that is why I support the following:

WE ASSERT our collective kūleana to mālama (care for) our precious water resources, and protection of the public trust protects Hawai‘i’s people. This is a kūleana that was blatantly undermined by Dawn Chang, the Green Administration, and large landowner, West Maui Land Company Executives.

WE CALL FOR solidarity amongst the working-class people of Hawai‘i to resist corporate control of resources and to demand a future that puts the needs of our people, our ‘āina, and our environment before the profits of corporations and luxury developers.

WE CALL FOR Governor Josh Green and the Water Commission to respect and uphold West Maui’s Ground and Surface Water Management Areas.

WE CALL FOR the Water Commission to enforce stream flow standards to ensure that kūleana users, small family farmers, and the streams themselves are getting the water they need before water is taken for luxury homes and other development.

WE CALL FOR the Water Commission to process water use permit applications for public trust purposes – such as lo‘i kalo, loko i‘a, and other traditional and customary Native Hawaiian practices and individual domestic uses – FIRST before applications for developers, luxury homes, private commercial uses and the County of Maui.

WE CALL FOR Deputy Director Kaleo Manuel’s immediate reinstatement as the community trusts his leadership.

I have the blessing to be born and raised here in Hawai‘i. I come from a family of farmers who immigrated to Hawai‘i from the Philippines. I see how corporate greed exploits water and land resources that should be used to better the quality of life of people and our home. We demand that political systems do better and look to Kanaka Maoli with ancestral lineage to this place. They have been stewards and hold the vision and solutions to build a Hawai‘i that is sustainable and regenerative to take care of land, water, and people for future generations.

WE REJECT corporate misinformation and lies that allow continued theft of water throughout Hawai‘i and in Lāhainā in particular.

WE REJECT the false narrative that a single Water Deputy who has proven to be highly impactful in his job somehow impeded firefighting efforts on August 8th, 2023.

WE REJECT the legacy of water theft in Hawai‘i that is rooted in colonial exploitation, oligarchical control, manipulation, and exploitation of people, land, and water.

WE REJECT plantation disaster capitalism that puts corporate profit before the well-being of Hawai‘i’s people while they are most vulnerable.

WE REJECT the status quo approach of Chair Dawn Chang and Governor Josh Green that utilizes manipulative tactics to further the interests of private, for-profit developers at the expense of the community at large and the public trust.

I humbly urge you to heed the outpouring of community voices and to center the Lāhainā community. Thank you for the opportunity to provide my letter of support.

Sincerely,
Ashley Ancheta Galacgac
Resident of Pālolo, O‘ahu

From: [Robin S. Knox](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 8:32:10 AM

Aloha Chair Chang and members of the Commission on Water Resource Management, My name is Robin Knox and I live in Kihei on the island of Maui. I am an environmental scientist and water quality specialist who has lived and worked on Maui for the past 17 years. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.


As an environmental scientist skilled in ecosystems analysis and management of water quality, I know that the management of our water resources is crucial to having a safe, healthy environment for our people to live. Need I say it? Ola I ka wai! Kaleo Manuel's leadership in implementing the Water Commissions mission has been exemplary. The declaration of the surface and groundwater management units in West Maui are long overdue, and I 100% support this level of regulation.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders. The exploitative attempt to gain access to more water and roll back water management protections established for Maui Komohana by West Maui Land Company official Glenn Tremble in the very midst of an unfolding tragedy is shameful hewa.

I ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Robin S. Knox, QEP, President
Water Quality Consulting, Inc.



Via Electronic Transmittal

September 18, 2023

Commission on Water Resource Management
Hawai'i Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 227
Honolulu, Hawai'i 96813
Email: dlnr.cwrmm@hawaii.gov

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha Chair Chang and Members of the Commission on Water Resource Management:

Mahalo nui for the opportunity to testify. We are third-year law students at the William S. Richardson School of Law. We have had the great privilege of working closely with Maui Komohana community members who are restoring lo'i kalo and exercising their traditional and customary Native Hawaiian rights on their kuleana 'āina. Most of the 'ohana we have gotten to know through our Native Hawaiian Rights clinical course have, for years, been experiencing drought and related declines in stream flow. Many were directly impacted by the wildfires that ravaged Lahaina last month.

Earlier this year, this Commission voted unanimously to reappoint Kaleo Manuel as its Deputy Director. Days later, Deputy Director Manuel visited our class to talk about the Commission's water resource management efforts across the pae 'āina. To break the ice and build pilina, he asked us, "What is your wai story?" It is a question he said he asks most people, including those who disagree with him, because everyone has a wai story. We can find common ground in wai. Designation was contentious, but at each public meeting leading up to the Commission's vote, Lahaina residents, lo'i kalo farmers from Ukumehame, Kaua'ula, Kahoma, and Honokōhau, grandparents, parents, children, and law students showed up in overwhelming support of designation. "Everything comes down to pilina," Deputy Director Manuel explained.

The water use permitting process threatens status quo power structures by requiring all non-domestic water users to apply for permits within one year of designation—which is why, in the wake of Lahaina's devastation, this process has been used as a scapegoat to undermine community-led advocacy for proactive water management. After suspending the Water Code, Governor Green voiced his support for *reversing* the designation of the Lahaina aquifer. For many, this designation represented a hard-won, community-led victory for water rights and for pono management of our precious freshwater resources. For years, the Maui Komohana community advocated for the water use permitting process and ardently supported this

designation—despite the immense burden they knew it would place on themselves as applicants—because they had full faith that this Commission would enforce the law.

As this Commission knows best, the law is clear: Under Article XI, Sections 1 and 7 of Hawai‘i’s Constitution, water is a Public Trust to be managed for the benefit of present and future generations. And, as fiduciaries of the Public Trust, decisionmakers—including this Commission—have a legal duty to aloha ‘āina. In other words, this Commission cannot shirk its constitutional obligation to safeguard Hawai‘i’s streams and aquifers or the traditional and customary practices that are intrinsic to them. The Hawai‘i Supreme Court in *Ching v. Case* articulated and affirmed this legal duty to aloha ‘āina. *Ching v. Case*, 449 P.3d 1146, 1160 (Haw. 2019). Fundamentally, aloha ‘āina requires an understanding that people are not “apart from” but “a part of” the natural world. This reciprocal relationship arises from Holly’s and all Native Hawaiians’ mo‘okū‘auhau (genealogy) which connects kānaka to everything—animate and inanimate—in our world. The mo‘olelo of Hāloanaka articulates this worldview best. It teaches Native Hawaiians that kalo is their elder sibling and that it is our kuleana to care for kalo by cultivating it with aloha and respect. Kalo, in turn, gives us life by nourishing our bodies and spirits. The practice of aloha ‘āina emerged from this pilina (intimacy or connection) and has evolved from foundational cultural precepts around kānāwai (Native Hawaiian ancient law; literally translates to “relating to water”) to the legal duty it is today. *See generally*, D. Kapua‘ala Sproat & MJ Palau-McDonald, *The Duty to Aloha ‘Āina: Indigenous Values as a Legal Foundation for Hawai‘i’s Public Trust*, 57 HARV. C.R.-C.L. L. REV. 525, 537 (2022). We believe that Deputy Director Manuel asked us about our water stories that day because he deeply believes in his, and this Commission’s, fiduciary duty to aloha ‘āina.

Now, when we contemplate our own water stories, we think, in part, of Maui Komohana and the many resilient ‘ohana we have gotten to know. As aspiring attorneys, we believe that law—if applied in alignment with the duty to aloha ‘āina—can be a powerful tool for restorative justice. After all, the constitutional amendments crafted during the 1978 Constitutional Convention enshrined the state’s restorative justice commitments to Kānaka Maoli. But if this Commission fails to live up to its kuleana ko‘iko‘i, its fiduciary duty, it will perpetuate the same cycles of harm that western capitalists started when they exploited our ‘āina and our wai for profit. This Commission faces an opportunity to fulfill its kuleana. Designation and the water use permitting process are key to ensuring Public Trust uses are protected and prioritized over private commercial uses, which do not enjoy the same legal protections. Under HRS § 174C-47, this Commission cannot rescind designation unless it makes findings “substantially similar to that for the designation of a water management area.” Such findings would be impossible to make because none of the findings that overwhelmingly supported designation have improved, let alone been addressed. Thus, any attempt to “rescind” or “modify” designation would be illegal and would significantly undercut this Commission affirmative obligation to protect the community’s water rights as the recovery in Maui Komohana continues.

So, we ask you: what will this Commission’s water story be? In the wake of the wildfires and during this time of huluhia, we need the Water Commission’s leadership and kōkua now

more than ever. Deputy Director Manuel's leadership and integrity is desperately needed by this Commission and the larger community. We implore you to reinstate Deputy Director Manuel immediately and honor the Water Code, as well as your decision to designate Maui Komohana for more proactive water management.

Ola i ka wai!

Elena Chang
Honolulu, HI 96822

Holly Doyle
Honolulu, HI 96821

From: [Krystal-Anne Brown](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written Testimony on Water Commission: Right to our Hawaiian Waters
Date: Monday, September 18, 2023 8:34:05 AM

Aloha e Chair and Commissioners,

My name is Krystal-Anne Brown and I live in Waianae but my ohana is from both Wai'anae and Lahaina. For too long I have heard of the false arguments and claims West Maui Land Co. has been narrating to undermine Hawaii's water right and community advocate who are desperately trying to bring the streams of Maui back to life to local taro farmers instead of exploiting the diversion for luxury homes.

These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo for your time in reading my testimony for our Hawaii Pae 'Aina,

Krystal-Anne Brown of Waianae.

September 18, 2023

Commission on Water Resource Management
Hawai'i Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 227
Honolulu, Hawai'i 96813

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector

Aloha nui e Chair Chang and to the Commission on Water Resource Management,

Mahalo nui for this opportunity to testify on agenda item C.1. relating to wai in Maui Komohana. My name is U'ilani Tanigawa Lum and I am an attorney and a professor at Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S. Richardson School of Law. I submit this testimony in my personal capacity. As you consider a path forward, I ask that you please do what is pono: respect and uphold the law, honor the water management area, and reinstate Deputy Manuel as a trusted and brilliant public servant. Deputy Manuel is the leader that we need at this time. I also ask that you re-center the kama'āina of Maui Komohana in decisions being made about *their* 'āina hānau. They are the experts of that place.

Our people are intimately familiar with their 'āina and its resources. For example, we have specific names and terms for the many water forms. Whether it be rain, water in streams or below the surface, our mo'olelo, oli, and mele detail how water moves, where to find it, and when to find it. This specificity is based on the close and consistent interaction with wai. For both practical and spiritual reasons, Kānaka Maoli know that in water, there is life. For Kānaka Maoli, wai shapes all aspects of life. It also shapes our laws here in Hawai'i. As this Commission well knows, our cultural and natural resources enjoy special protections under Hawai'i law. In fact, Hawai'i's people, who have thrived on islands in the middle of the vast ocean, elevated these protections into the state constitution. The law already outlines the pono path forward.

Although I consider Maui my 'āina hānau, I was hesitant to submit this testimony given the outpouring of support and wisdom of individuals and organizations who have been leading the charge for the betterment of our 'āina and our shared resources for decades. Earthjustice, for example, has championed many of the water issues that have shaped the mo'okū'auhau of our laws today. There are many more that I am sure you will hear from in person on Tuesday. I was also inclined to leave space for the kupa of Maui Komohana. But this just underscores the immense opportunity you have in front of you. You have the opportunity to uplift the experts of this 'āina. Rather than make decisions in Honolulu about a place you may have visited before, you have the opportunity to give the kupa of the place the agency at this body to chart a path forward. Against a backdrop of colonization and injustices in Maui Komohana in particular, this is a remarkable opportunity. You also have incredible resources available to you: experts in law, resource management, traditional and customary practices, and indeed, experts in wai in Maui Komohana. You just have to listen.

As commissioners with kuleana over one of our most precious resources, I thank you for shouldering this immense kuleana and ask that you listen to the many experts available to you as well as the kama'āina with generational ties to this place: reinstate Deputy Manuel, respect the law, and uphold the water management area. Mahalo for this opportunity to testify.

Me ka ha'aha'a,



U'ilani Tanigawa Lum

From: [Pederson Properties | Jennifer Pederson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Testimony for Commission on Water Resource Management
Date: Monday, September 18, 2023 8:36:54 AM

Aloha Chair & Commissioners,

My name is Jenn Pederson and I'm a Lahaina Resident. I'm extremely concerned about the pseudo arguments by West Maui Land Company that are clearly being used to undermine water rights including decades of community advocacy, which helped restore Maui's streams + protect small farmers from the exploitation of big corporations with profit driven agendas. The false arguments have unfairly scapegoated former Water Commission Deputy Kaleo Manuel as well as our very own smaller-scaled kānaka run taro farmers – it's outrageous.

Please hear our voices requesting the following:

- The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights,
- Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management,
- The Water Commission should verify that West Maui Land Company is complying with instream flow standards and hold corporate interests accountable,
- The Water Commission should respect the existing designation of Maui Komohana Water Management Area, and
- The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting ON MAUI so they can hear directly from those effected by your decision making.

Decision makers who are from and live on other islands need to listen to the people of the islands their decisions directly impact. We look forward to your support.

Mahalo,

Jenn Pederson
Lahaina Resident

From: [Makana Hicks](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] CWRM - 19 Sep Meeting - Agenda Item C.1.b
Date: Monday, September 18, 2023 8:37:03 AM
Attachments: [PastedGraphic-1.tiff](#)

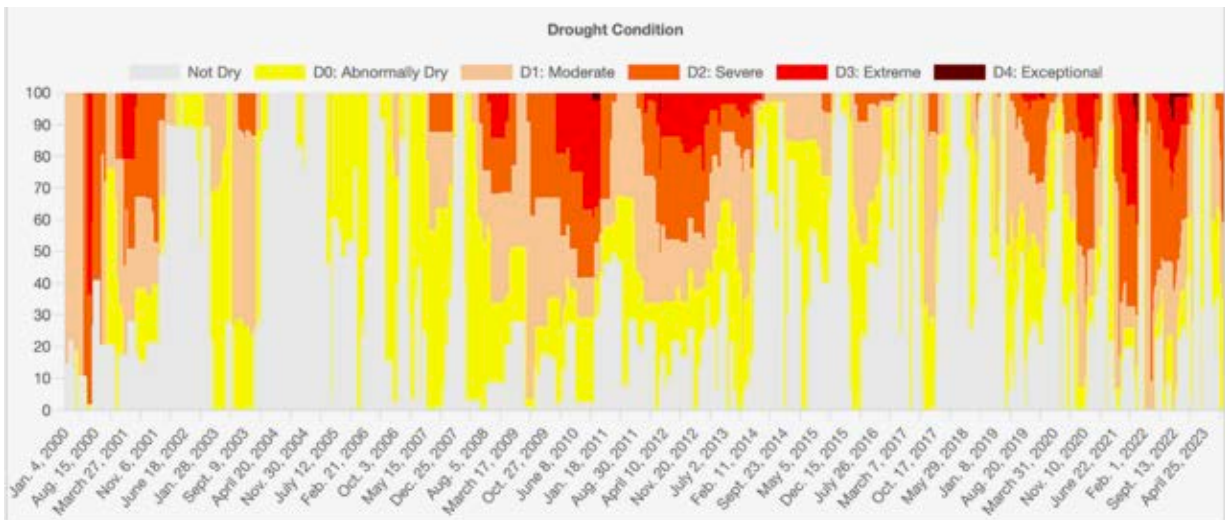
Aloha,

I, Makana Hicks, wish to testify on agenda item C.1.b.

Below is written testimony, if possible I would also like to testify via zoom.

It is critical that the IIFS be enforced. While it may be true that Kauaula and other streams are lower flow than in past years, this does not excuse the indiscriminate diversion of stream water or reckless use of pumps. Indeed, it only makes it more pressing that we limit our use to what we can “afford”. For too long Maui has been on a spending binge, it is now time to rein it in.

Unsustainable water use is increasingly pressing communities across the globe and in the US: it was only last week that The NY Times covered the giant fissures opening up across the US as their aquifers are drained. Hawaii has the chance to lead on this issue and it is critical that we do so.



From: [Jendale Kahuanui](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Lahaina water resource rescue and management
Date: Monday, September 18, 2023 8:38:08 AM

Aloha I'm sorry that my written testimony is late (not 48 hours prior).

I am writing in regards to the water resource management.

1. I am asking you to uphold the west water management area designation
2. Asking you to ensure the interim in stream flow standards for west Maui are being met
3. Ask for Reinstate Kaleo Manuel as deputy director
4. Ask for to help with Dawn Changs immediate resignation for negligent business & ethics violations made against the people of Maui.

Give Lahaina's water back to its rightful place, remove ALL WATER DIVERSIONS!

Lahaina deserves to be replenished. Outsiders have taken it over and are now trying to make it permanent. You CANNOT allow this to happen. It will be blood on your hands. This is not PONO. MONEY & GREED cannot win this fight that you have the chance to do the right thing for the land, its people and the people who have perished in this disgraceful, awful tragedy that could have been prevented years ago. I see it as if you're not trying to make it right, then you are just part of the problem. Make it right.

Aloha,

Jendale Kahuanui

[REDACTED]

Honolulu, HI 96816

[REDACTED]

Sent from my iPhone Sent from my iPhone

From: [Anahera Tevaga](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water Commissions, Lahaina Maui
Date: Monday, September 18, 2023 8:41:16 AM

Aloha,

my name is Anahera Tevaga, I am a proud resident of Lahaina Maui. I am a junior at Kamehameha Schools Maui which teaches us to be leaders in our community, rooted in our culture. As so, I will be practicing my leadership skills, speaking on behalf of our 'āina and my community. Water is life, water is the center of all living and non living things, without it we are nothing, we have nothing. So the need for us as a people to plead and fight for a living necessity is truly frustrating, especially as a kanaka Hawai'i. I am testifying in supporting of the following. First, The Water Commission should be upholding the State Water code, which states that trust waters resources and Native Hawaiians have equal rights and access to water. Second The Water Commission should investigate West Maui Land Company, in ensuring that they are upholding and complying with in stream flow standards, while holding them accountable for the misuse of water. Third, The Water Commission should make Maui, especially Lahaina kama'āina, a priority and be the center of the decision making of our future. Also to have the next meeting in Maui so that we as a community can be involved in the decision making, not those of the other islands. We know our 'āina and our people the best, so we know what is best for us.

Mahalo,

Anahera Tevaga

From: [Courtney](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water commission meeting
Date: Monday, September 18, 2023 8:43:16 AM

Aloha Chair Chang and Commissioners,

My name is Courtney Ruidas, and I am a resident of Lahaina.

I testify today to share my aloha for Maui Komohana. In the wake of these trying times we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please consider holding your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!
Courtney Ruidas

From: [Jackie Keefe](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Cc: [Kalikolehua Storer](#)
Subject: [EXTERNAL] Testimony for the Meeting for the Commission on Water Resource Management
Date: Monday, September 18, 2023 8:44:52 AM

Aloha,

I am writing to ask you to do what is PONO with Maui's water. Much of our water is being diverted by West Maui Land Company for the luxury developments at Launiupoko already.

STOP LETTING CORPORATIONS HOG THE WATER.
Wai is Ha. Water is LIFE.
FOLLOW THE LAW and restore stream flows.
UPHOLD THE MAUI KOMOHANA WATER MANAGEMENT AREA designation.
REINSTATE DEPUTY KALEO MANUEL!

Coconut wireless is real here on Maui. You cannot get away with what you're doing under the guise of rebuilding Lahaina. We know that you've allowed West Maui Land Company (WMLC) to divert the water from Kauaula Stream. The minimum flow rate, SET BY THE STATE, is all dried up. There is a 4 inch pipe catching almost all of the water and diverting to WMLC. This is unacceptable. There should be NO NEW PERMITS (including the ones you've already passed) issued. These permits should be CANCELED.

You have said LAHAINA will be rebuilt the way that LAHAINA wants. The NUMBER ONE concern of our people is WATER. We cannot rebuild without it!

Do what is pono. Return West Maui's water. Lahaina is a WETLAND. It needs to be returned to its natural state. RETURN OUR WATER NOW!

You also need to STOP having so many meetings ABOUT Lahaina WITHOUT Lahaina people at the table. Businesses are not people. FULL STOP!

Mahalo for your attention,
Jackie Keefe
Napili Resident



Board of Directors: September 18, 2023

Gary L. Hooser
President

State of Hawaii
Commission on Water Resource Management
Post Office Box 621
Honolulu, HI 96809

Andrea N. Brower
Ikaika M. Hussey
Co-Vice Presidents

DLNR Boardroom, Kalanimoku Bldg. 1151 Punchbowl Street, 1st Floor
RE: Agenda Item C-1

Kim Coco Iwamoto
Treasurer

Aloha Chair Chang and Members of the Commission on Water Resource Management,

Bart E. Dame
Secretary

The following testimony is offered on behalf of the Hawai'i Alliance for Progressive Action (HAPA) in support of the following:

Paul Achitoff

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights

Kaleikoa Ka'eo

2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management

Michael Miranda

3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable

Walter Ritte Jr.

Pua Rossi-Fukino

4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and

Karen Shishido

Leslie Malulani Shizue Miki

5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

HAPA is concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy, findings and documentation that helped restore Maui's streams and protect small farmers from the exploitation of big business.

These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

Given that the water reservoirs that West Maui Land Co. asked to fill up could not have been used to fight the Lāhainā fires, it is concerning that this false logic appears to have been used to justify Mr. Manuel's removal from his position and to challenge the rigorous processes and decision making at the Water Commission. Chair Chang is no doubt aware that these reservoirs only serve the luxury estates above Lāhainā, and are not connected to the county water system or any fire hydrants. Plus, the 80-mile-an-hour winds from Hurricane Dora meant no helicopters were allowed to make water drops.

When West Maui Land Company's request to divert water was not immediately granted, they insinuated that stream protections were to blame for the fire, going so far as to blame a single Hawaiian kalo farmer for the lack of water to fight the fire. This resulted in misleading media articles and ultimately Kaleo Manuel, Deputy Director of the Department of Land and Natural Resources' Commission on Water Resources Management (Water Commission), being swiftly removed from his position.

West Maui Land Co. is exploiting the tragedy in Lāhainā to further justify increasing water diversions under their corporate control. Not only did they unfairly position Kaleo Manuel as a scapegoat for decades-long debates over their own water misuse, but they are now asking the Water Commission to suspend and change the Water Management Designation Area of West Maui (Maui Komohana), which adds permitting and accountability for privatized commercial water use, now and into the future.

These decisions will have ripple effects across Hawai'i. The unfair removal of a Water Commission official based on corporate pressure rather than performance metrics sets a dangerous precedent. Undermining the Maui Komohana Water Management Designation Area that communities worked with the Water Commission for decades to create sends the message that corporate interests can easily leverage false narratives to undermine hard won and well deliberated stream protections.

Thank you for your consideration.

Warm Regards,

A handwritten signature in black ink, appearing to read 'Anne Frederick', written in a cursive style.

Anne Frederick
Executive Director

From: [Stacey Casco](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 8:47:58 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Stacey Casco, and I am a member of the Casco family of West Maui. Several members of my family lost their homes in the Lahaina wildfires. In spite of our loss, I am writing today to ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; and reinstate Kaleo Manuel as deputy director.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and luxury gentlemen farm developers. I humbly urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Mahalo,
Stacey Casco



From: [Stephanie Meyer](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#); [Stephanie Meyer](#)
Subject: [EXTERNAL] Testimony for Water Commission meeting 9.19.2023
Date: Monday, September 18, 2023 8:48:40 AM

To: Maui County Water Commission

To: iwalani.hr.kaaa@hawaii.gov

To: dlnr.cwrn@hawaii.gov

Sample Testimony:

Aloha Chair and Commissioners,

My name is Stephanie Meyer, and I reside in Lahaina, Hawaii. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.
6. Currently, I teach Science, Art and Fifth grade upper-elementary education in Lahaina. Please prioritize the future for my students and invest in our community.

Mahalo Nui,
Stephanie Meyer

From: [Courtney Lazo](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRWCWRM](#)
Subject: [EXTERNAL] Please support my community
Date: Monday, September 18, 2023 8:53:15 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Courtney and I live in currently at Honua Kai Resort through Red Cross, formerly [REDACTED] Lahaina. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Courtney Lazo

Phone: [REDACTED]

Email: [REDACTED]

This communication contains information from Courtney-Lee Lazo that may be confidential. Except for personal use by the intended recipient, or as expressly authorized by the sender, any person who receives this information is prohibited from disclosing, copying, distributing and/or using it. If you have received this communication in error, please immediately delete it and all copies, and promptly notify the sender. Nothing in this communication is intended to operate as an electronic signature under applicable law.

From: [Gale Pederson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for Commission on Water Resource Management
Date: Monday, September 18, 2023 8:52:39 AM

Aloha Chair & Commissioners,

My name is Gale Pederson and I'm a Lahaina Resident. I'm extremely concerned about the pseudo arguments by West Maui Land Company that are clearly being used to undermine water rights including decades of community advocacy, which helped restore Maui's streams + protect small farmers from the exploitation of big corporations with profit driven agendas. The false arguments have unfairly scapegoated former Water Commission Deputy Kaleo Manuel as well as our very own smaller-scaled kānaka run taro farmers – it's outrageous.

Please hear our united voices requesting the following:

- The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights,
- Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management,
- The Water Commission should verify that West Maui Land Company is complying with instream flow standards and hold corporate interests accountable,
- The Water Commission should respect the existing designation of Maui Komohana Water Management Area, and
- The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting ON MAUI so they can hear directly from those effected by your decision making.

Decision makers who are from and live on other islands need to listen to the people of the islands their decisions directly impact. We look forward to your support.

Mahalo,

Gale Pederson
Lahaina Resident

From: [Makana R.](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 8:54:29 AM

Aloha Chair Chang and members of the Commission on Water Resource Management

I am writing to express my profound disappointment in the decision to reassign Deputy Director Kaleo Manuel from his role within the Hawai'i Department of Land and Natural Resources. As a concerned advocate for responsible water resource management and a resident of Kaua'i, I feel compelled to voice my concerns and stress the importance of retaining Mr. Manuel in this vital position.

Kaleo Manuel's tenure as Deputy Director has been characterized by exceptional leadership qualities, a deep understanding of Hawai'i's water resources, and a unique ability to bridge the gap between environmental conservation and cultural preservation. His work has garnered widespread community support and has been instrumental in advancing responsible water management practices.

West Maui communities have tirelessly worked to restore their freshwater resources and establish equitable water management practices. The decision to reassign Mr. Manuel puts their progress and the future of West Maui's freshwater resources at risk, driven by dishonest narratives from corporate water interests.

I kindly request a thorough review of the decision to reassign Kaleo Manuel and a reevaluation of his role as Deputy Director. His reinstatement would align with our shared commitment to safeguarding Hawai'i's precious natural resources and ensuring a sustainable future for our communities, 'āina, and future generations.

I also urge the commission to uphold the Maui Komohana Water Management Area designation, ensure the updated interim instream flow standards for West Maui are met, and continue efforts to implement the Water Code, managing and protecting our most precious resource.

Thank you for your attention to this matter. I eagerly anticipate any positive developments regarding the reinstatement of Kaleo Manuel.

Na'u me ka ha'aha'a,
Makana Reilly

From: [Adam Lottig](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water rights.
Date: Monday, September 18, 2023 8:55:18 AM

I am testifying in support of returning water rights to streams and farmers for the economic and ecological needs of running water on the aina.

The recent fires would not have been nearly as drastic if the streams that once flowed in these places was still flowing.

Furthermore, farms that are producing staple foods to feed our population and our economy should be prioritized.

Adam Lottig
Haiku

Sent from my iPhone

From: [aubrey h](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water commissions, Lahaina Maui
Date: Monday, September 18, 2023 8:55:23 AM

Aloha my name is Aubreyanne Haake, I was born and raised in Lahaina deeply rooted here. I am currently a senior at Lahainaluna high school. And wanted to state my testimony about the water in Lahaina. In Hawai'i water is life, it is the center of life and all living things. without it we have nothing and are nothing. the thought of kanaka in Lahaina fighting for water is very frustrating, they take our water for hotels, golf courses, and the million dollar homes in lanuipoko, ka'anapali, and kapalua. I am running out of time to send this so i'll keep it short. Lahaina needs water, we need our water back. 1. the water commission should uphold the state water code, and it's states that the trust waters recourses and Native Hawaiians have EQUAL rights and access to water. and 2. the water commission should investigate west maui land company to ensure that they are upholding with in the stream flow standards. Mahalo.

From: [Georgia Winfree](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water
Date: Monday, September 18, 2023 8:55:39 AM

Aloha Chair and Commissioners,

My name is Georgia Winfree and I reside in Kihei, Maui, HI. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
 2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission
 3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
 4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
 5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.
- Mahalo,

Georgia Winfree


Kihei, HI, 95753

September 18, 2023

Commission on Water Resource Management
Hawai'i Department of Land & Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 227
Honolulu, Hawai'i 96813

Re: Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector Area

Aloha e Chair Chang and Commissioners,

My name is Dru Hara and I am a third-year law student at the William S. Richardson School of Law.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. Over the past year, I have had the privilege of supporting a number of community members with their water use permit applications. Two things have stood out to me throughout this process. The first is how difficult the permitting process has been for community members to navigate without the assistance of an attorney. The forms are not intuitive and the requisite information is not easily accessible, particularly for community members living in rural areas without regular access to the internet. The second thing is how much, despite the administrative burden placed on them by designation, this community invested in the permitting process. In good faith, these kupa'āina Maui Komohana invested the better part of a year putting together water use permit applications with the hope that their water rights would finally be recognized. This willingness to engage with the permitting process is reflective of the belief that this community held in the promise and protections of the Water Code as effectuated by the Water Commission under the guidance of Deputy Director Kaleo Manuel.

Applications for existing uses were submitted on August 7, 2023, a day before the wildfires ravaged Lahaina. While the community grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. In the weeks that have passed, I have been shocked by the bare knuckle politics employed by legacy diverters and development interests as part of their continued effort to hoard and control even more of Maui Komohana's freshwater resources. Further, I have been profoundly disappointed by the

extent to which this political posturing has been allowed to influence this Commission's decisionmaking and the permitting process.

We are here today to ask you to honor the Water Code, as well as your decision to designate Maui Komohana for more proactive water management. Fresh water is key to Maui Komohana's future, and the community's needs must be centered in decision making. In particular, I request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Dru Hara

[REDACTED]

Honolulu, Hawai'i 96821

[REDACTED]

From: [Jeannette Soon-Ludes](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written testimony to the Water Commission
Date: Monday, September 18, 2023 8:58:20 AM

Aloha kakou,

Please accept this written testimony for the Water Commission September 19, 2023 meeting of the Commission of Water Resource Management, regarding item C-1 of the agenda, water usage in West Maui following the devastating fire on August 8, 2023:

- Uphold the West Maui Water Management Area designation: This designation was put into place to protect the waters of Maui for the benefit of the entire community. It is vital to the wellbeing of the entire ecosystem and should remain in place to support the revitalization of Lahaina and surrounding areas.
- Ensure the interim instream flow standards for West Maui are being met: The health and wellbeing of West Maui ecosystems and community relies on adequate flow of water in the streams. Flow in the streams supports plant health and tree canopy across the ecosystem, making the entire area more resilient against fire.
- Reinstate Kaleo Manuel as Deputy Director: Mr. Manuel is a competent and knowledgeable steward for the waters of West Maui. His removal was done outside appropriately defined protocols and, as such, he should be reinstated to his position.

Please contact me should you have any questions about this written testimony.

Me ke aloha,
Jeannette Soon-Ludes, PhD

Pronouns: she/her

Honoka`a, Hawai`i

Mobile: [REDACTED]

Email: [REDACTED]

From: [JOY Hosseinian](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water restoration
Date: Monday, September 18, 2023 8:59:47 AM

Aloha

My name is Joy Hosseinian and I reside in Kihei south Maui. I'm writing this testimony in reference to the upcoming council meeting on water restoration. The false narrative my west Maui land co has resulted in the removal of Kaleo who was doing a wonderful job for water protection and rights. I am writing to object to this false narrative from west Maui land co and asking that Kaleo be reinstated to his job. All of Maui's people need water especially for farming and agriculture. Please ask the governor to rescind Kaleo's removal from this position. Many thanks, Joy Hosseinian

Sent from my iPhone

Aloha kākou,

‘O wau o Maui Tauotaha, noho au i ka mokupuni o O‘ahu, ka moku o Kona, ka ‘Ahupua‘a o Honolulu, ka ‘ili o Mauna ‘Ala. I am writing today to express my deep sadness at the actions of Chair Chang which have catered to the desires of Glenn Tremble of West Maui Land Co., and the continued disregard for the current laws that govern distribution of water throughout our pae ‘āina. I advocate for criminal repercussions for any individual party to these actions.

It is not the Hawaiian kalo farmers who are responsible, as Governor Green stated in the most cowardly fashion for the world to digest in an August 10th press conference. It is in fact the fault

West Maui’s communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui’s freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

It is the kuleana of the commission to uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, ‘āina, and future generations.

*Ola i ka wai,
Maui Tauotaha*

From: [Leilani Kepler](#)
To: [Kaaa, Iwalani HR](#); dnlr.cwrm@hawaii.gov
Subject: [EXTERNAL] Water issues
Date: Monday, September 18, 2023 9:00:30 AM

Aloha Chair and Commissioners,

My name is Leilani Kepler, and I live in Huelo. I am concerned that the West Maui Land Co. is being used to undermine the water rights and decades of community advocacy that helped restore Maui streams and to protect the small farmers from exploitation of big businesses. These false claims arguments have unfairly scapegoated taro farmers and former Water Commission Deputy Director Kaleo Manuel .

I am testifying in support of the following:

1. The Water Commission should uphold its promise to the state water code to ensure the trust of the public. That being making sure that Water Resources are shared equally, especially with the Native Hawaiians water rights!
2. Chair Dawn Chang should reinstate Kaleo from Manual as the Deputy Director of Commission.
3. The Water Commission make sure that the West Maui Land Co is complying with in-stream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management area.
5. The Water Commission should Re-centered the Maui Kamaaina in the decision about their future and hold their next meeting IN MAUI so that they can HEAR DIRECTLY from those affected by your decisions.

Mahalo,

Leilani Kepler

From: [James Echternach](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] in wake of the wildfire
Date: Monday, September 18, 2023 9:01:43 AM

Aloha Chair Chang and Commissioners,

My name is James Echternach, and I live in Honokowai Lahaina.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Jimmy Echternach

From: [Kecia Joy](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water Rights for the Citizens of Maui
Date: Monday, September 18, 2023 9:00:34 AM

Aloha Chair and Commissioners,
I am Kecia Joy, a Marine Biologist living in Kihei Maui.

I am a working everyday person here on Maui who is very concerned for the Small Taro Farmers and letting go of former Water Commission Deputy Director Kaleo Manue. The people of this island are rising and this kind of thing will no longer fly anymore. We have had enough and we can see the level of corruption that is happening.


I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo for doing what is pono,
Kecia Joy
Kihei, HI

--

Sent with Aloha



From: [Kehau Nahooikaika](#)
To: [DLNR.CW.DLNRWORM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 9:00:47 AM

Aloha Chair and Commissioners,

My name is Kehaulani Nahooikaika of Lahaina, Maui. My family has fought for many of years for "WAI" to be put back in the streams.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.

Mahalo,

Kehaulani Nahooikaika

No Lahaina mai au

09/17/2023

Aloha kākou,

‘O wau o Maui Tauotaha, noho au i ka mokupuni o O‘ahu, ka moku o Kona, ka ‘Ahupua‘a o Honolulu, ka ‘ili o Mauna ‘Ala. I am writing today to kāko‘o ka po‘e Maui Komohana after many years of neglect and illegal water diversions that directly caused the tinderbox responsible for the Lahaina fires of August 8, 2023. I also want to emphasize the commission's complicit actions in this disaster through decades of ignoring the Public Trust Doctrine and enabling Glenn Tremble and Maui Land Company to further steal our precious wai.

The issue of water in Hawai‘i is no longer in the shadows, it is now in the global spotlight and will continue to be. As it was during the mauna movement, the people have been awakened and will not rest until pono is acknowledged and restored.

West Maui’s communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury "gentlemen farm developers." Now all of their hard work, and the future of West Maui’s freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders. Even worse, the deplorable and untrue statements of Dr. Josh Green given during a press conference which placed blame on Native Hawaiian kalo farmers for refusing water for fire suppression have hurt many of us deeply. Dr. Green's statements are unforgivable.

I beseech the commission to uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, ‘āina, and future generations.

Ola i ka wai,
Maui Tauotaha

To the Honorable Representatives and Stakeholders of the State of Hawaii,

I come before you today as a deeply concerned citizen and resident of West Maui, particularly Lahaina. I cannot overstate the urgency of the disconnection between the actions of our state governance and the needs of our local community, especially at a time when the stakes are so high.

Firstly, I urge you to uphold the State Water Code, designed to ensure that public trust water resources are shared equitably among us all. This foundational document must not be mere words on paper, but the lifeline for a community whose very existence is intertwined with the natural resources it protects.

Secondly, it's imperative to maintain the existing designation of Maui Komohana Water Management Area. This designation is a critical framework that ensures the sustainability of our natural resources, upon which both our local community and environment deeply rely.

Thirdly, it is essential to prioritize water resources for the working-class residents in West Maui, including the majority of Native Hawaiians in Lahaina, who are currently rebuilding their homes and communities. These are the people who make up the heart and soul of our island, and they deserve nothing less than our full support.

Fourthly, there should be an immediate moratorium on new water applications targeting luxury developments. These developments not only consume our most precious resources but also contribute to the degradation of the environment we are trying to protect.

Fifthly, I echo the community's call to reinstate Kaleo Manuel as Deputy Director of the Commission on Water Resource Management. His advocacy and leadership are indispensable in these trying times, and his wrongful removal serves only the interests of those who would exploit our land and water.

Lastly, it is vital to conduct a thorough review of West Maui Land Co.'s compliance with instream flow standards. The company's track record of relentless exploitation for profit should warrant enough concern for immediate scrutiny.

It's important to note that protecting these resources and adhering to these guidelines will benefit not just us, but everyone. For instance, by restoring our canopy in West Maui, we create a richer, more resilient landscape that can help mitigate the effects of climate change. Moreover, our local streams nourish our reefs, providing essential minerals and creating brackish spawning grounds crucial to the marine food chain. When we secure life on land, we also secure life in the sea.

In summary, I implore you to align your actions with your public declarations, especially those concerning the pressing issue of climate change. The contradiction between claiming to fight

climate change while permitting actions that exacerbate it is not just hypocritical—it undermines the public trust and the very future of our community.

From: [Audrey Alvarez](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 9:06:54 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Audrey Alvarez and I live in Makiki, Oahu ~ originally born and raised in Lahaina. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone.

It has been an especially painful month for my Lahaina community. We feel that our voices haven't been heard on so many pressing issues ~ one of them being the protection and care of our precious water resources.

WE REJECT the continued corporate dominance of water and land resources that should be used to better the quality of life of people and our home.

WE REJECT the legacy of water theft in Hawaii that is rooted in colonial exploitation, oligarchical control, manipulation, and exploitation of people, land and water.

WE REJECT plantation disaster capitalism that puts corporate profit before the well-being of Hawaii's people while they are most vulnerable.

WE CALL FOR solidarity amongst the working class people of Hawaii to resist corporate control of resources and to demand a future that puts the needs of our people, our 'āina and our environment before the profits of corporations and luxury developers.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy

director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

When the water is set free and restored in Lahaina, for ALL of Lahaina, it will heal the land and the people.

Ola i ka wai,
Audrey Alvarez

[Sent from Yahoo Mail for iPhone](#)

From: [Larrick Eubank](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Written testimony
Date: Monday, September 18, 2023 9:12:49 AM

My name is Larrick Kapule Eubank and I live in in Honokohau valley rd.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Larrick kapule eubank Kalo farmer



Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813
Phone (808) 521-2302 • www.nativehawaiianlegalcorp.org



COMMISSION ON WATER RESOURCE MANAGEMENT MEETING Relating to Agenda Item C1

Update on Water Resources in the Lāhainā Aquifer Sector Area

September 19, 2023

9:00 a.m.

DLNR Boardroom

Aloha e Chair Chang and Commissioners:

My name is Ashley Obrey and I am submitting this testimony in response to Agenda Item C1. I offer this perspective as a Senior Staff Attorney at the Native Hawaiian Legal Corporation and as a member of the West Hawai'i community.

The East Maui communities that NHLC represents have fought for decades against the plantation economy to establish interim instream flow standards ("IIFS") for streams that had been diverted for over a century, to protect public trust purposes, including the protection of Native Hawaiian traditional and customary practices, and to end the illegal practice of continuously issuing temporary permits, diverting up to 100 million gallons a day ("mgd") out of East Maui streams for commercial use without environmental review or findings that such action is in the best interest of the state.

Likewise, our West Hawai'i community, of which I am a part, has advocated for stronger protections of Kona's groundwater, including a thorough analysis of impacts on coastal resources and related traditional and customary practices while our community has been targeted for endless development despite the limitation of our water resources.

NHLC represents a history of legal advocacy on behalf of communities across the pae 'āina to uphold the rights of Native Hawaiians and protect public trust resources consistent with the laws and constitution of Hawai'i, which require the state to protect and manage water in ways that will ensure its availability for the benefit of present and future generations. *See* Haw. Const. Art. XI, § 1. It is a history that continues in the present, because, while the value of water is immeasurable to many, there is certainly a price tag on water for those who view this resource merely as a means to obtain financial gain.

With West Maui on the agenda following last month's wildfires, NHLC is here today to remind our decision makers just how critical this historic moment is as we begin to address the needs of our hoā in Maui Komohana. Now, more than ever, protection of our waters resources is required.

We know that Lāhainā was once a thriving wetland that was drained and dried by plantations and that the impacts have continued even after the plantations closed. This very Commission clearly understands that, given its formal recognition just last year that water in Maui Komohana should be subject to more state oversight and public scrutiny as a Surface Water and Ground Water Management Area.

August's tragic fires serves as a dire reminder of just how critical the protection and restoration of life-giving natural resources, such as water, is for the health of the environment and how important decisions related to water are in this modern time in these islands with such limited resources, especially in the context of today's climate emergency. Additionally, recent actions taken by the government to (1) attempt to roll back legal protections for natural and cultural resources, public participation, and transparency in government and (2) remove key leadership whose focus has always been on properly implementing the law add to our serious concerns about what happens next.

At NHLC, we have witnessed firsthand the impacts of the exploitation of water resources for commercial purposes in east Maui, Kona, and elsewhere. But we have also seen positive steps forward under the direction of Deputy Director Kaleo Manuel, who, in the absence of any previous leadership in water issues in West Hawai'i, truly took to heart his kuleana to affirmatively protect our public trust resources consistent with the letter and spirit of the Hawai'i Constitution and the Water Code by leading a long effort to engage meaningfully with community, ensure that the rights of Native Hawaiian practitioners were considered, and find the balance that the law requires.

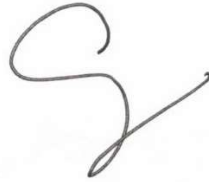
When thinking about what comes next for Maui Komohana, this Commission has a huge opportunity to continue taking positive steps forward and create a legacy that outlasts any individual commissioner's limited term – a legacy marked by compliance with the rule of law, and that embraces the Commission's trust obligations to ensure water is truly held for the benefit of the citizens of the State, rather than corporate interests. A legacy upholding the values of pono (to do what's right/what the law requires); mālama (to care, genuinely, for our wai), and kuleana (both a responsibility and privilege).

Aligning with these values means making decisions that reflect the state's legal "affirmative duty to take the public trust into account in the planning and allocation of water resources, and to protect whenever feasible" public trust uses. *In re Water Use Permit Applications*, 94 Hawai'i 97, 141, 9 P.3d 409, 453 (2000); see also *Kauai Springs, Inc v. Planning Comm'n of the County of Kaua'i*, 133 Hawai'i 141, 172, 324 P.3d 951, 982 (2014) (recognizing public trust uses as waters in their natural state, domestic water use, Native Hawaiian tradition and customary rights, and the reservation of water for the Department of Hawaiian Home Lands).

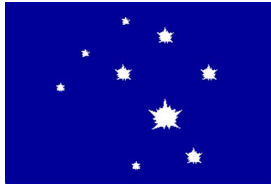
It means: upholding the Water Code and the Water Management Area designation of Lāhainā surface and groundwater and providing thoughtful, thorough, and timely review of water use permit applications; vigorously following the rule of law and implementation of the Code, to set new IIFSs, and to designate areas that need better management; listening to community voices – centering Maui kama'āina in all decisions related to the future of their water; and

appointing (or re-appointing) the most qualified person in your division who exemplifies these values of kuleana, pono, mālama in fulfillment of the role and responsibilities vital to a Deputy Director.

It also means standing on the right side of history by formally acknowledging this immense kuleana to this public trust resource and the people not only of Maui but also all of Hawai'i. Mahalo for the opportunity to testify. Ola i ka wai!

A handwritten signature in dark ink, appearing to be 'A. Obrey', written in a cursive style.

Ashley K. Obrey
Senior Staff Attorney
Native Hawaiian Legal Corporation



September 19, 2023

Ka Lāhui Hawai'i Komike Kalai'āina Testimony to the Commission on Water Resource Management

Agenda Item C1: Update on Water Resources in the Lahaina Aquifer Sector Area

Ano 'ai Chair Chang and Members of the Commission,

Wai is a finite resource that is necessary for life. The tragic death and devastation that happened in West Maui on August 8th, 2023 was a result of decades of water diversions for monocrops and development and the covering of Lahaina springs and fishponds. We are at a crossroads when it comes to the future of these islands because of the water crises taking place across ko Hawai'i pae 'āina - Red Hill, Mauna Kea, Wai'ale'ale, East Molokai, and West Maui.

The Kanawai (Laws) of King Kamehameha III laid out the Native Tenant rights to water that are grounded in 2,000 years of cultural practice, stewardship and understanding of this place and water sources. The State of Hawai'i has encoded many of these traditional Kanaka Maoli water rights in the Water Code HRS174C stating that the 'protection of traditional and customary Hawaiian rights is in the public interest.' Despite these legal protections Kanaka Maoli kuleana land owners in West Maui are still fighting for stream restoration and access to water.

In addition to Kanaka Maoli rights to water the Kuleana land owners of Kaua'ula, Kahoma, Kanaha also have appurtenant rights to water. These Native land owners should have access to the same amount of water that was used by their ancestors during the time of the Mahele and the Kuleana Land Act of 1850. Water that usually came from streams which our Kūpuna used for the cultivation of kalo and for domestic uses. These rights never extinguish and exist whether or not the Native Tenant applied for a water permit from the Commission or not. The Hawai'i State Constitution Article XI, Section 7 requires the Commission to protect appurtenant rights.

The Water Commission must protect stream flow that can support life and will allow for the protected cultural practices of gathering of hihiwai, o'opu, 'opae and limu. Please restore the streams of West Maui to the flow standards that were set during the Mahele and hold accountable those businessmen who are using the human tragedy of the Lahaina fires as an excuse to illegally divert water, water bank and silence Kanaka Maoli water protectors like Kaleo Manuel. We humbly ask that he is restored to his position as the Deputy Director of CWRM.

'O wau iho nō,
M. Healani Sonoda-Pale
Public Affairs Officer of Ka Lāhui Hawai'i Komike Kalai'āina

From: [Stephanie Littlefield](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony
Date: Monday, September 18, 2023 9:47:09 AM

Aloha Chair and Commissioners,

My name is Steph Littlefield. I am residing on the wai side of Maui. I am sending this message because we need to have more accountability and I want to do my part to ensure that there is a healthy flow of water from mauka to makai. Protecting Hawai'i's mo'olelo and mo'omeheu has become a priority to me. The land and water needs to be restored to cultural resources. There needs to be native plant restoration, and access to watershed lands needs to be reclaimed. I am and have been concerned that the false arguments by West Maui Land Co., Mahi Pono, Alexander and Baldwin, are being used to undermine water rights and DECADES of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. There is damage to soil quality, desertification, pesticides, herbicides, loss of biodiversity, damages to soil, groundwater reserves, surface runoff, all of this is stemming from Mahi Pono. Mahi Pono, a "rebrand" otherwise known as Alexander & Baldwin. You can't grow food in nutrient depleted soil that is located miles and miles away from the source of water. These false arguments have unfairly scapegoated small taro farmers. This has been ongoing for far too long. Where is the ecosystem integrity from Mahi Pono, West Maui Land Company, A&B, Inc.? There is none. There has never been any, in fact. They can hire all the locals they want to try and make it look like they are for the people, but that does not mean that A&B's business plan will be effective or culturally competent! A&B is evil, who uses others as a cover up to hide. They can plant all the plumerias, tiare, oranges, etc. they want in Central Maui, but nothing is more important than Kalo, and restoring the stream life and subsistence farming. We need to encourage and applaud the sustainable, indigenous food producers, not take from them.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian WATER RIGHTS.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should RESPECT the existing designation of Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and their land, and hold their next meeting in Maui so that they can hear directly from those affected by your decisions and not just from people of authority.

Mahalo nui loa,
Steph Littlefield

From: [Regina Gregory](#)
To: [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] comment - 9/19/23 agenda item C.1.c
Date: Monday, September 18, 2023 9:54:37 AM

The aquifer was already being overdrawn, and now there is a danger that luxury-development opportunists will take advantage of the disaster to take even more water. Please put the people first.

Regina Gregory
Honolulu



SIERRA CLUB OF HAWAI'I

Testimony to
COMMISSION ON WATER RESOURCE MANAGEMENT
September 19, 2023 9 AM Room 132

COMMENTS on C-1:
UPDATE ON WATER RESOURCES IN THE LAHAINA SECTOR AQUIFER AREA

Aloha Chair Chang and Members of the Water Commission,

The Sierra Club of Hawai'i, on behalf of its 20,000 members and supporters, offers these comments **strongly urging greater and more proactive action, including by commissioners in their individual capacity, to implement the water code and uphold the public trust in the water resources of Maui Komohana and throughout Hawai'i.**

As an initial matter, the Sierra Club is deeply disturbed by the still-unexplained “redeployment” of commission deputy Kaleo Manuel, who has demonstrated the highest levels of diligence, commitment, and objective solution-seeking in his leadership of commission staff and the implementation of the State Water Code. His ability to understand and apply the law and balance the numerous rights and interests in our islands’ most precious resource have served to better the conditions of our islands for generations to come. Under his leadership, the Water Commission and its staff have been able to successfully realize the prudent planning and protective mechanisms envisioned in our State Water Code in many arenas, including by:

- Establishing updated interim instream flow standards *and* water management designation for Maui Komohana, and thereby protecting the agricultural potential of and Native Hawaiian rights in the region, including and particularly from the ongoing threats posed by luxury, “gentleman-farm” developments;
- Providing for meaningful and updated instream flow standards for streams throughout East Maui, mitigating decades-long concerns and conflicts arising from the historical neglect of public trust purposes and reasonable beneficial uses in these critical surface waters;
- Updating the instream flow standards for five streams on Moloka'i, providing meaningful protections against waste and in furtherance of the island's ecological, cultural, and agricultural integrity;
- Updating the interim instream flow standard for He'eia stream, O'ahu, enhancing Jānaka 'Ōiwi efforts to restore the ecological and cultural integrity of one of our islands' few remaining “intact” ahupua'a;
- Similarly updating the interim instream flow standard for Wai'oli and Lāwa'i streams on Kaua'i; and
- Overseeing and working to address implementation and enforcement concerns to ensure that the Commission's orders and laws are better and more meaningfully upheld.

The progress made by the Water Commission in implementing the State Water Code has been unprecedented, and has been made possible not only through Deputy Manuel's great expertise and diligence, but also through his ability to work with and leverage broad relationships with other agencies, institutions, and communities, while also understanding and balancing the needs of all stakeholders consistent with the policies and priorities embodied in state law.

For this reason, the redeployment of Deputy Manuel has removed one of our most effective government leaders at a time when his responsibilities, and the responsibilities of the Water Commission, may be more important than ever before. **The Sierra Club strongly urges every commission member to use their position to take a critical look into the circumstances of Deputy Manuel's redeployment, and to take appropriate action including by calling for his reinstatement.**

On a similar note, **the Sierra Club urges the Water Commission and each of its commissioners to take action to uphold and enhance the recent progress made to properly manage the water resources of Maui Komohana.** In its recent water management area designation and instream flow standard updates, the Water Commission recognized how decades of neglect and misuse of the region's water resources have impaired the water security, food security, cultural integrity, and ecological health of the region. Notably, as Commission staff's instream flow standard assessment reports demonstrated, every day millions of gallons of water which could and should have been used and managed for public trust purposes and reasonable beneficial uses have instead been sequestered for landscaping and non-agricultural uses, including for luxury developments on agricultural lots – leaving vast acreages of land fallow and impeding traditional agricultural activities and nearshore ecological cycles that may be key to the island's food security. This in turn has significantly increased the vulnerability of Maui Komohana to climate impacts and other environmental threats, while foreclosing critical opportunities for socioeconomic development and diversification. **Without adequate state oversight that can ensure water use accountability, the future security, resiliency, and overall well-being of Maui Komohana and its residents, including Kānaka 'Ōiwi lineal descendants, will continue to be at stake.**

Accordingly, the Sierra Club urges the Water Commission and each of its individual commissioners to take all necessary action to uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for Maui Komohana are being met; investigate and address the removal of Kaleo Manuel as as water deputy; and urge staff to continue their efforts to implement our Water Code in a timely manner, in order to manage and protect our most precious resource for our communities, 'āina, and future generations.

Mahalo nui for your consideration of this testimony.

From: [Barbara](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Fwd: #Lahainastrong
Date: Monday, September 18, 2023 9:57:17 AM

Sent from my iPhone

Begin forwarded message:

From: Barbara [REDACTED]
Date: September 18, 2023 at 9:51:43 AM HST
To: Barbara [REDACTED]

Aloha Chair and Commissioners, My name is Barbara O'Connor and I reside in Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore

Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
3. The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.
5. The Water Commission should re-center Maui Kama'aina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,
Barbara O'Connor
Maui
#lahainastrong
Sent from my iPhone

From: [Victoria Hoopii](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 10:06:33 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Torie Ho'opi'i, and I am a Kupa a Maui Komohana. I am also an aloha 'āina activist with Kāko'o Haleakala and a UH Maui College student earning a degree in Hawaiian Studies.

I am writing today to support the West Maui communities who have worked to restore their freshwater resources for many years and established management practices that ensure enough water for everyone.

I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

My Uncle Keeaumoku Kapu and Auntie Uilani Kapu of Nā 'Ai Kane o Maui, Cousin Kaipo Kekona, Cousin Danny and Jaime Palakiko, Cousin Charlie Palakiko, Cousin Mark and Ku'ulei Palakiko are ancestral and lineal descendants of Kau'aula Valley, in Lahaina. They are kalo farmers, who, along with many others, including myself, have fought tirelessly to restore "Ka Malu 'Ulu o Lele," or the historical breadbasket of Lahaina that existed in history, to the leeward community. To have this restored, we must have the natural water flowing.

It is a shame that we have to fight for our water rights. This is especially true when you consider that the aboriginal people of this land, the legal landowners, are affected. In the past, no one owned the water. Instead, we relied on a communal living system known as the traditional 'aphupua'a system. Under this system, everyone from the mountains to the sea had equal rights to this precious resource. This is where the concept of "Ola i ka wai" comes from, meaning that water is life, and without it, there can be no life. Water is essential for everything to grow and sustain itself. In the past, no one had to pay for access as it flowed freely. The people took responsibility for managing and maintaining the upkeep of the river and 'auwai system.

A perfect example is my husband's ancestral home in Kahakuloa, on the northwest point of Maui, in the Moku of Kā'anapali.

We have strayed from this concept because of what the plantations have done to our home, Lahaina.

"I ka wā ma mua, ka wā ma hope," **through the past is the future.**

It is time for us to revert to the ways of our kūpuna and hear what the community is saying. For us to be self-sustainable for Lahaina to rise again, I beg you and kindly ask that the commission uphold the Maui Komohana Water Management Area designation, ensure that the updated interim instream flow standards for West Maui are being met, reinstate Kaleo Manuel as deputy director, and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola, i ka wai,

E ho'i ka nani i Moku'ula

Torie Ho'opi'i

From: [Jerome Kekiwi Jr.](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for item C.1
Date: Monday, September 18, 2023 10:11:51 AM

Aloha mai Kakou

My Name is Jerome Kekiwi Jr, I would like to testify on item C.1

I am the current President of our non-profit organization,
Na Moku Aupuni O Ko'olau Hui (Na Moku)

I am a lineal descendant of the Ke'anae-Wailuanui Ahupua'a located in the Ko'olau Moku of East Maui.

Our members are kalo farmers, hunters, fisherman and gatherers of this Aina.
Na Moku is also the lead plaintiff for the East Maui Water Case, the largest and longest Water Case in Hawaii.

Here are some of my thoughts on today's items:

1. Have the Commission of Water Resource Management (CWRM) reinstate and enforce the Interim Instream Flow Standard (IIFS) for West Maui and its Kuleana users. The importance of Water in our streams is crucial for the survival of many native species and our people.
2. Please consider the reinstatement of Mr. Kaleo Manuel as Deputy Director for the Commission of Water Resource Management (CWRM). His actions are Pono and trustworthy, there is no better man for the job than Mr. Kaleo Manuel.

I am In Strong support of both items and grateful for this chance to testify. I thank you for your service to ensure a better future for Hawaii and the generations to come.

Mahalo nui,

Jerome Kekiwi Jr

Mobile: [REDACTED]

Email: [REDACTED]

Aloha Water Commissioners,

My name is Shelley Muneoka and I'd like to submit testimony on agenda item C-1. I'd like to express my support to Maui Komohana, the place and the people, and the waters therein. Particularly, I write in aloha for the years of community commitment and struggle to restore freshwater resources and establish management practices to ensure that water is shared fairly.

Many across the pae'āina and around the world, watched with broken hearts the tragic fires in Lahaina on August 8th without clarity on how to alleviate the overwhelming impacts of the extreme winds and flames. The man-made political disaster in the days that followed were also deeply disturbing, particularly Governor Green's emergency proclamation and later the decision to remove Kaleo Manuel as deputy director of CWRM. This body is uniquely positioned to help Maui Komohana -- I humbly make the following requests:

Uphold the West Maui Water Management Area designation. This designation was long and hard fought for by water advocates. Upholding it is a concrete way to honor the desires of the people of Maui Komohana.

Ensure the updated interim instream flow standards (IIFS) for West Maui are being met. The events of the last month did not occur in a vacuum. West Maui Land Co has a long history of bad behavior in regards to West Maui water at the expense of the rest of the community (including the natural environment), which more recently includes building an unauthorized concrete dam on Olowalu stream (2018), cesspool violations (2021) and overdrawing stream water (2022). This history should have brought extra scrutiny on their requests for *more* water – instead, their requests were granted. While consistent, it is disgusting that they used the Aug 8 fires as an opportunity to forward their ongoing push for luxury development in West Maui. I commend CWRM for their previous enforcement actions on West Maui Land, and ask similarly that the IIFS for West Maui are being met.

Reinstate Kaleo Manuel as Deputy Director of the Water Commission, who along with this commission, has made immense strides to uphold the public trust in our water. The false narrative that emerged that had Deputy Manuel approved more water to be diverted to the Launiupoko reservoir would have made any difference in firefighting efforts that day needs badly to be corrected. Even if one sets aside Deputy Manuel's years of committed leadership to protect our water, we cannot let his reassignment stand. Chair Chang should not be allowed to unilaterally remove Deputy Manuel without the majority approval of the members of this body. I urge members of this commission to assert their power and push back on Chair Chang and Governor Green's decision to remove Kaleo. The testimony you are receiving for the 09/18/23 commission meeting should have been heard before such a decision was made and doing so after the fact does not serve as a meaningful substitute.

Ola i ka wai,

Shelley Muneoka

From: [Jessica Gottsleben](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Written Testimony for September 19th, 2023 Water Commission Meeting
Date: Monday, September 18, 2023 10:18:27 AM

Aloha! Below is my written testimony for tomorrow's Water Commission meeting.

Aloha, Chair and Commissioners!

My name is Jessica Gottsleben. I am concerned that false claims by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights;
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management;
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable;
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and;
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

It is your kuleana to do the right thing. Mahalo nui loa for your

time and consideration.

Jessica Gottsleben

Sent with [Proton Mail](#) secure email.

From: [Michael Keolamau Tengan](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony
Date: Monday, September 18, 2023 10:29:26 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Keolamau Tengan and I live in Waiohuli, Maui. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Living in upcountry Maui, and present here for the fires, I feel it is imperative to ensure the safety and accessibility of water here on island for our local community & emergency responders. Having lost water in Kula as well, the fragility of our current water system and the need for better, community-minded management practices are needed, now more than ever.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Keolamau Tengan

From: [David Dizon](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Commission on water resource management. Item C-1
Date: Monday, September 18, 2023 11:31:16 AM

Aloha my name is David Kahiwa Dizon,

I'am a Lineal desendant of Nakai'kua'ana Ohana nei. I live on our Kuleana land in Kaua'ula valley. My Family and myself is and will be deeply affected by the decision made at tomorrow's meeting. Our Family is deeply concerned about the mismanagement of water and total disregard of our lives from being under the control of Chair Chang, peter martin, west maui land co., makila land co. and olowalu land co. We have been dealing with this evil person(peter martin) and his evil companies for over 20 years. They have shut off our water countless times, with no notice and/or no warnings. Even though we have a legal and binding agreement since 2003 to provide the families of Kaua'ula with clean and adequate water for myself and all of our family members To drink, bathe, for self sustainable crops and for all of our families livestock. We humbly implore you to make the right decision for Water management area designation and to reinstate Deputy director Kaleo Manuel. Chair Chang's capitulation to west maui lands demands and reassignment of Deputy director Kaleo Manuel, undermines the water commission's credibility. Chair Chang doesn't care about the people who are directly affected by her decisions, all she cares about is how she can please peter martin and west maui land companies agenda, which is supplying water to the developers and their rich customers.

Water is key to Maui Komohana's future, especially now in our recovery in the wake of the wildfires. Water management designation must be respected and water use permitting must proceed. Maui Komohana's people must be centered on all decision making; but especially decisions impacting our water future. Deputy Director Kaleo Manuel must be reinstated immediately. We urge and implore you to hold its Oct. 17 meeting on Maui to hear directly from those mostly affected by the fires. Please do the right thing and do what is Pono. You reap what you Sow. So sow good things!

Mahalo, Malama Pono and God Bless Us All Amen

Mahalo Ke Akua Aloha Ke Akua Amama Ua Noa a lele wale aku la Amene

Sent from my iPhone

From: [Mary Tam](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Written Testimony for Sept 19 CWRM Meeting
Date: Monday, September 18, 2023 11:36:08 AM

Aloha,

Mahalo for the opportunity to provide written testimony for the Sept 19 CWRM Meeting. I am writing to echo what others have raised about our collective kuleana to mālama our precious water resources and our community. We must put the needs of our people and ‘āina before the profits of corporations and luxury developers.

This includes but is not limited to calling for the Water Commission to:

- Enforce stream flow standards to ensure that kuleana users, small family farmers and the streams themselves are getting the water they need before water is taken for luxury homes and other development.
- Process water use permit applications for public trust purposes – such as lo‘i kalo, loko i‘a and other traditional and customary Native Hawaiian practices and individual domestic uses – FIRST before applications for developers, luxury homes, private commercial uses and the County of Maui.

I stand in solidarity with our Maui ‘ohana, rejecting the legacy of water theft in Hawai‘i that is rooted in exploitation and threatens to continue putting corporate profit before the well-being of Hawai‘i’s people while they are most vulnerable.

Mahalo for listening,
Mary Tam, O‘ahu

From: [Nikhil Khurana](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water Resource Management Testimony
Date: Monday, September 18, 2023 11:37:03 AM

Hello Commission of Water Resource Management,

As a resident of O'ahu looking at the mismanagement of water resources on Maui, the theft of water from working class people, farmers, families, and traditional practitioners by corporations, I am standing in solidarity with the Maui Community in their demands.

We want to see you and the governor respect and uphold West Maui's Ground and surface water management areas. The water commission must enforce stream flow standards that are in place to protect the people, the environment and the streams themselves. The water commission must process water use permit applications for public trust purposes to prioritize Native Hawaiian domestic, traditional, and customary uses before the desires of the developers, corporations and luxury home owners. Along with all this, nothing less than the immediate reinstatement of Deputy Director Kaleo Manuel will satisfy the demands of the people.

No more corporate dominance of water and land resources!

No more corporate misinformation and lies!

No more false narratives that a single water deputy somehow impeded firefighting efforts on August 8th 2023!

No more water theft in Hawai'i!

No more plantation disaster capitalism!

No more status quo approach!

Water is for everyone and the water commission must help the community ensure that the water returns to where it needs to be to feed and nourish the land and the next generations.

Sincerely,
Nikhil Khurana

From: [Jordan Lemke](#)
To: [Kaaa_Iwalani HR](#); [DLNR_CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony for Agenda Item C-1
Date: Monday, September 18, 2023 11:42:00 AM

Aloha Chair and Commissioners,

My name is Jordan, and I reside in Wailua. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Jordan Loudon

Resident of Wailua, Puna moku, mokupuni o Kaua'i

From: [Tsuyuno Amos](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comment on Agenda Item C-1
Date: Monday, September 18, 2023 12:03:22 PM

Aloha Water Commissioners, Staff, and Chair,

My name is Chloe Amos and I am writing in regards to Agenda Item C-1. This testimony is being submitted in support of the Maui community calls for Dawn Chang and Josh Green to:

- **Stop water grabs and prioritize water equity for cultural practitioners and practices, ecosystems, and resident needs.** Throughout Hawai‘i we are seeing further mismanagement of our water by the State and theft of water to corporations, big business, and global real estate companies who disregard the health of the land, water, and people for financial gain. The State cannot continue to sacrifice the collective for a few. The repercussions and damages being created have intergenerational consequences to both the land and people. The way forward is with meaningful, steady, and consistent safe engagements with community followed with just actions that center their voices and needs while also prioritizing the health of the land.
- **Ensure the interim instream flow standards for West Maui are being met.** Instream flow standards help hold life in balance. These standards are vital to all who rely on water for life. The systems that water feeds serve a greater role flowing in streams giving life to the beings who live within the stream and those who rely on the forests which grow along its edges to the vast ocean waiting to receive this cooling water down below. Whether or not you realize it or feel a connection to the source you are a beneficiary of the endless work that water does for all of us.
- **Uphold the Maui Komohana Water Management Area Designation.** One of the strongest benefits of the WMA designation is the ability for communities and concerned citizens to be informed about water decisions being made in their area and creating a process for individuals to participate in these water matters. To remove this designation is to remove those who government representatives are responsible for ensuring that the people's water is cared for and that the land will have life.

We are all facing the most critical time we have yet seen in the history of climate change disasters. In order to meet this moment, we must all be willing to step up in a big way to change our ways and STOP prioritizing profit over planet. Water is life, E OLA I KA WAI! To act in service of profit over planet at this time is a sure signal that the people in power do not value the lives of their constituents or their own lives, for that matter. None of us will survive if we do not do what is necessary to take care of our water.

My hope is that the people of Maui are heard and their calls are centered in all actions moving forward.

Mahalo for the opportunity to comment,
Chloe Amos

From: [Amber Milsap](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony Supporting the People of Lahaina and Their Basic Right to Water
Date: Monday, September 18, 2023 12:59:29 PM

Aloha Honorable Members of the Commission!

Although I recognize it is late, I implore you to accept my testimony in support of the people of Lahaina and their basic right to water.

As I recently heard it so eloquently stated:

People power over corporate power. Lahaina will need water for housing. Water for agriculture and firebreaks. Water for basic needs. Water to restore stream flows. Water to replenish aquifer systems. Water that can energize food and fishery systems.

This statement captures my sentiments in their entirety. While I am not from the Lahaina community, I am Kanaka Maoli with family and friends across the state and want it known that I am advocating for the people of Lahaina and this very basic right.

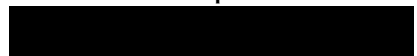
As an island community, everyone who calls Hawai‘i home must recognize that water is a finite resource and we must come together to chart a collective path forward. We need to talk about industry and economy and fix problems that come with the status quo or become more economically innovative.

There are no easy answers, but certain things are clear. Most importantly, we must begin to alter course as it relates to our current industry and economy. As is done at the Honouliuli Wastewater Treatment Plant, we need to do more in the way of recycling water and putting that water back to use in secondary agricultural irrigation systems in open spaces like parks and golf courses. We need to set goals to accomplish milestones towards a reality that recognizes water is life.

The fact of the matter is that access to water is a basic human right and what happened in Lahaina, dry fire hydrants, is more than a travesty in Governmental oversight.

Respectfully submitted,

Amber Milsap



Honolulu, Hawaii 96822

From: [r.v](#)
To: [DLNR.CW.DLNRCWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Testimony for 9/19
Date: Monday, September 18, 2023 1:38:38 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,
My name is Rhonda Vincent and I am a kuleana heir to Aina in Kaua'ula Valley. Please reinstate Kaleo Manuel as Deputy Director. He has worked tirelessly for the people.
I also support of the following:

The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.

The Water Commission should verify that West Maui Land Co. complies with instream flow standards and hold corporate interests accountable.

The Water Commission should respect the existing designation of the Maui Komohana Water Management Area.

The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

Mahalo,
Rhonda Vincent

Sent from my iPhone



INTERNATIONAL LONGSHORE & WAREHOUSE UNION

LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • OAHU DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Wailuku, Hawaii 96793 • KAUAI DIVISION: 4154 Hardy Street, Lihue, Hawaii 96766

LOCAL 142

September 18, 2023

Via email only

Attn: Iwalani Kaaa
Commission on Water Resource Management
Department of Land and Natural Resources

RE: Non-action item C.1: Update on Water Resources in the Lahaina Aquifer Sector Area

Aloha Commissioners,

The International Longshore and Warehouse Union is Hawai'i's largest private-sector union, with 16,000 members. One thousand seven hundred fifty of our members are residents of Lahaina. Most of these members lost their homes in the Lahaina fire. Additionally, 2,700 of our members work in West Maui. The impact of the fires on employment adds an additional aspect of instability for our members. Since the fires, the ILWU has worked tirelessly for our members and put much time and resources into supporting the community.

The ILWU has a long history in Lahaina. For close to 80 years, our members have dedicated themselves to organizing across ethnic and cultural lines to overcome corporate exploitation. Workers at Pioneer Mill, originally unionized by Honolulu Longshoremen, hold a place in our union history as some of the strongest and most militant of all the plantation workers.

The ILWU's history in Lahaina, along with the number of our members whose lives were forever changed following the fires, puts immense kuleana upon us as a union to be very active and involved in questions about the future of Lahaina.

The fires themselves bring to bear questions about the impact of the plantations on both the land and the water. As they closed operations, Pioneer Mill sold lands and water infrastructure to West Maui Land Company. More questions emerge through this period and to the present about land and water management.

How much water has been allocated over the decades for the benefit of people experiencing poverty, working-class people, and Native Hawaiians - the indigenous people of this land? What has been allocated for luxury developments, which are not built for working-class, local, and Native Hawaiian families?

Additionally, we have heard much concern in the community over the removal of Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management. We've learned that many in the community valued his knowledge and consideration of diverse interests, especially of those who have been historically marginalized in decisions on water management for the sake of corporate interests. Our investigation of this issue and others raised here continues.

What is clear to us right now, however, is that all decisions about resource management, and especially water, must center the survivors of the Lahaina wildfire. Their ability to not only build back their lives but to rebuild a Lahaina that will sustain their families for generations is a priority of the ILWU Local 142.

Our members are all working-class. And they are part of the community at-large. Many are actively involved in the community. They need and deserve both living wage jobs and access to clean water. As our members, the broader Lahaina community, labor unions, and government agencies work together to rebuild Lahaina right, we encourage the Commission to do the following:

1. Uphold the State Water Code to ensure public trust water resources are shared equally.
2. Uphold the existing designation of Maui Komohana Water Management Area.
3. Prioritize water in West Maui for all working-class residents, which also includes most Native Hawaiians in Lahaina, who now have to rebuild their homes and their community.
4. Enact a moratorium on any new water applications for luxury developments.
5. Verify that West Maui Land Co. is complying with instream flow standards.

We are committed to further investigating water struggles and governance in West Maui. We are committed to organizing our members to ensure that they and their community are centered in rebuilding Lahaina.

Thank you for your time and consideration.



Christian West
President, ILWU Local 142

/sai
howu

From: [Ashlee Jones](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Re: Testimony in support of upholding Hawaii's Water Code and reinstating Kaleo Manuel as Deputy Director of the Water Commission
Date: Monday, September 18, 2023 2:06:58 PM

To: Commission on Water Resources Management
1151 Punchbowl Street
Honolulu, Hawaii 96819
Email testimony: [REDACTED]

From: Ms. Ashlee Jones

Re: Testimony in support of upholding Hawaii's Water Code and reinstating Kaleo Manuel as Deputy Director of the Water Commission

Date: 18 September 2023

I am testifying in support of the working families of Lahaina and the protection of their water. The Water Commission must act to protect the freshwater resources of Maui Komohana for the working families of Lahaina, and protect water resources across the Hawaiian Islands by ensuring that the Water Code is upheld and Deputy Director Manuel is reinstated in his position.

I am very concerned that Hawaii's imperiled freshwater resources are being abused because some corporations are diverting streams and drilling wells without adequate oversight by state officials. News reports show that West Maui Land Company attempted to scapegoat Kaleo Manuel for the lack of water to fight the wildfires in Lahaina.

I am very disappointed that it appears Dawn Chang succumbed to pressure from West Maui Land Company. She removed Kaleo Manuel as the Deputy Director of the Water Commission without cause and without authority to do so. In his absence, streams are once again beginning to run dry. Without Deputy Director Manuel in place, I fear that the Water Code as a whole may not be implemented.

Thank you for doing everything in your power to fully enforce the Water Code, restore your appointed staff, and protect our public trust water resources from abuse.

From: [Queen Maile](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 2:34:32 PM

Aloha Chair Chang and members of the Commission on Water Resource Management, My name is Tanya Mailelani Naehu and I live on the Mana'e or east end of Moloka'i. I was raised in Lāhainā and raised my keiki there as well. My genealogy stems from Lāhainā since time immemorial.

I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Kaleo/CWRM's work has impacted my 'ohana's 'āina and lo'i directly. For years my 'ohana's lo'i lay deserted and dried out. Now, because of Kaleo's advocacy to restore water flow into my kupuna's lo'i my 'ohana can grow kalo again. Only after many decades of being deprived of the natural flow into lo'i kalo. My kupuna, my 'ohana, and my future descendants are thankful for what he helped to make happen.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders. I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Tanya Mailelani Naehu

Kumu/Educator, Performer, Consultant for Hawaiian Cultural Arts ed.

Co-founder of Ka Hale Hoaka | Online School of Hawaiian Knowledge

Director of Moloka'inuihina Project

Program Director of Hui o Kuapā 501c3

Moloka'i, Hawai'i

<https://www.kahalehoaka.com>

<https://www.facebook.com/molokainuihinaproject/>

<http://www.huiokuapa.org/>

From: [Nalani Sato](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Written Testimony: Testify on item C-1 Maui Water Rights
Date: Monday, September 18, 2023 3:02:22 PM

The tragedy of the Lahaina fires has created an opportunity to move forward with the agricultural wisdom and knowledge instilled within the Hawaiian people over centuries time. May the souls who passed during the Lahaina fires live on through the ashes they left behind, creating carbon-rich soil for the righteous re-fertilization of a successful ahupua'a system...An endeavor only native Hawaiian's can lead.

Please do whatever it takes to get that land back into Hawaiian hands and ensure full bellies to all the families and residents of Lahaina!

Nalani Sato, owner
surface mode of operation
direct: 808-[REDACTED]
www.sumo.design

CONFIDENTIALITY NOTICE: This email and any attachments included are for the sole use of the intended recipient(s) and may contain confidential and privileged information. If you are not an intended recipient, you are hereby notified that any review, use, disclosure, distribution, or copying of this communication, is strictly prohibited under applicable law. We request that you please contact the sender by reply email, and delete all copies of the original message.

Dear Chair and Commissioners,

My name is Shane, and I reside in Honolulu, O'ahu, Hawai'i. I am concerned that the false arguments by West Maui Land Company are being used by the West Maui Land Company to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business diminishing the environmental structure, which allows the land to be enriched to sustain life in every aspect. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel. I am testifying in support of the following:

1. I am asking with respect and sincerity that the Water Commission uphold the State Water Code to ensure the public trust water resources are going to be shared equally especially for the water rights of Native Hawaiians.
2. I kindly ask that Chair Dawn Chang Kaleo reinstate Manuel as the Deputy Director of the Commission on Water Resources Management
3. I am encouraging the Water Commission to check that the West Maui Land Company is complying with the instream flow standards and hold a corporation's interests accountable.
4. I am politely asking the Chair and Commissioners to respect the existing designation of Maui Komohana Water Management Area.
5. The Water Commission is being asked to include Maui Kama'āina in the decisions about their future.

As a friendly reminder, people share these natural resources, and these natural resources are the base of giving life to our common home that we call earth and/or

the equivalent meaning in any other languages. I understand that there is a need to help the state flourish economically, and I commend the Chair and Commissioners efforts in providing a sustainable future. I am kindly asking that the Chair and Commissioners think about the greatest amount of return on investment, greatest amount of happiness for the indigenous people of Hawai'i, and the greatest amount of benefits for future generations to live a life with abundant levels of natural resources by not reducing amount of water rights since the streams and rivers produce plants. By extension, these plants give life to the animals and people. I think that it would be most beneficial for every party involved to think about investing in creating a desalination center to convert salt water into fresh water here in Hawai'i. At the same token, the desalination center would be able to clean out the pollution in the ocean, so that the conditions of the ocean water will create a more inhabitable environment for marine life. It would be most beneficial if the desalination center works with a person with a Ph.D. in Marine Biology, so that the ocean waters maintain balance for life beneath the ocean to flourish while giving life on land.

The ocean in Hawai'i will be ideal for marine life to populate; thereby, the growth in the marine life will add to the generativity of the economy in Hawai'i since more tourist will want to come to see the healthy marine life, the supply of seafood will increase to possibly a level of being able to export globally, and the ecofriendly byproducts from seafood will enrich the land to be more fertile for agricultural lands to yield more produce items for local markets, national markets, and international markets while the businesses remains locally owned and operated with respect to not excluding other businesses from other parts of the world entering the economy in Hawai'i. In addition, the environment would be cleaner,

and improved wellbeing for plants, animals, and people will be highly possible to attain.

Quality of life will improve for people locally, and the data from an unbiased market research will demonstrate that health improves as the environment improves from the trusted decision of the Chair and Commissioners since Scientist has demonstrated by in smaller models that quality of life improves. Any professional trained in math and science from any University will agree that scaling of the model is not considered by extrapolation of data since the data has been maintained and observations has not been made beyond the data points and the data points have only been scaled to reflect the true size of the geometric dimensions of earth. The mathematical concept and scientific research findings hold true, and I encourage that the Chair and the Commissioners apply this concept well to ensure that future generations will be able to flourish with the best things that life has to offer, abundant natural resources, and live with higher quality of life from the decisions of the Chair and the Commissioners. The objects of the Chair and the Commissioners are ethical when they apply certain objects to achieve the end of wellbeing for people.

Maintaining environmental structures, designing facilities, and developing technologies to reduce pollution, and alternatives for current businesses to maintain and/or expand the employment are the objects intended to be the means to produce sufficient tax revenues for both state and federal levels. The increase in both federal and state tax revenues will allow officials that work for every level of government to be able to receive an increase in compensation to be able to live when the prices in the economy inflate due to the natural effects of the market. These means will help achieve the end of happiness, wellbeing, and prosperous

lives of the people, and the people will experience a life filled with abundant natural resources, decreased cost of living, and increased pay based on current models and trends from cross studies of sustainable plans of action, which is available at state universities in the United States of America and government research that has been published at various credible sources.

In closing, I am asking with all due respect that the Chair and Commissioners consider other alternatives with the current science that the University of Hawai'i, other universities, and government institutions that have published research on their recent findings from models, projects, and research. We are in a time that calls for decisions that help invigorate and restore the environment, so that the environment will be able to replenish natural resources with assistance of sustainable development programs designed to help the environment and people flourish with the best things that life has to offer, improved quality of life, and the hope for future generations to flourish with abundant levels of natural resources. I, Shane Shimabukuro, hope that the Chair and Commissioners truly analyze the many benefits of a sustainable future while thinking of the ethical reasons that has been demonstrated in current sustainability models. Thank you for taking some time to read my testimony.

Sincerely,

Shane Shimabukuro

From: [Jen Cox](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Water Commission Testimony: In Support of Native Hawaiian Rights and Maui Kama'aina
Date: Monday, September 18, 2023 5:28:23 PM

Aloha Chair and Commissioners,

My name is Jen Cox and I reside in Haiku, Maui. I am concerned that West Maui Land Co's interests have falsely and negatively influenced water management decisions in the aftermath of the devastating Maui fires. First and foremost, the West Maui community's priorities and concerns should be at the center of this discussion, particularly in how they wish to rebuild and sustain the abundant Lahaina that these generational families and long-time residents wish to see in their future.

To that end, I fully support relocating the next Water Commission meeting regarding West Maui water rights to be on Maui so that the people most directly impacted have the best chance of sharing their hopes and concerns with you. Too often these calls for testimony are circulated with too little notice for folks not entrenched in politics and protocols to be able to participate effectively.

Additionally, I am testifying in support of the following:

- The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equitably, especially in consideration of Native Hawaiian water rights.
- Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission.
- The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
- The Water Commission should respect the existing designation of Maui Komohana Water Management Area.

Mahalo for your attention,

Jen Cox
Haiku, Maui 96708

From: [Roslyn Cummings](#)
To: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] C-1 Agenda 09/19/2023
Date: Monday, September 18, 2023 6:23:30 PM

Declaration of Roslyn Manawaiakea Malama mare Cummings

Private National of Hawaii

██████████ Kalaheo Ahupua'a
Hawaii Nei, zip nearby [96741]

ROSLYN CUMMINGS; wahine maoli tm

Vessel Berthed CQV in Trust, a Nom de Guerre now at peace, Date of Live Birth ██████████

Fiduciary and the only signatory Officer

(non corporate entity, tertius interveniens) ALL RIGHTS RESERVED

Notice to Agent[s] is Notice to Principal[s], and Notice to Principal[s] is Notice to Agents

COMES NOW, Roslyn Cummings: Wahine Maoli, by this declaration, appearing by special divine appearance, declaring my *Innocence*, telling TRUTH a non-corporate, natural born, living breathing blood being, on the soil, *Jus Soli*, a living soul, *Sui Juris*, a *Fiduciary*, coming here in *Peace and Honor* with clean hands,

noho ao Kalaheo Ahupua'a, Kona Moku, Kaua'i Moku, Kona Moku,

Mo'opuna O Kupuna Pae Aina Hawai'i

Wahine Maoli, Kanaka Maoli, Kanaka Oihi, Makuahine, He Aina Hawaii

On the record for the record, will be used as evidence

In support of Na Kanaka, Kanaka Maoli O Maui, Maui Komohana (West Maui)

Mo'opuna O Lahaina

Pule prayer

A'ole Loa Pilikia,

E ka Haku (Lord) e hoomalu mai i kou poe kanaka au i hana'i, na lakou e hana i na mea a pau ma kou oiaio, e kokua mai ia makou ke Akua e lawe mai i ka maluhia iwaena o Hawaii nei. No ka mālama 'ana a me ka pale 'ana i ko mākou mau pono i hā'awi 'ia. E mālama i ko mākou 'āina, e mālama i ko mākou wai. No hanauna e hiki mai ana. e wehewehe mākou i ka pono a me ka hewa a me ka holomua i ka 'oia'io. Ma kou inoa e ho'omaika'i mai ke Akua iā

mākou a mau loa aku amene

1.

WHEREAS, In law, ignorantia juris non excusat (Latin for "ignorance of the law excuses not"), or ignorantia legis neminem excusat ("ignorance of law excuses no one"), is a legal principle holding that a person who is unaware of a law may not escape liability for violating that law merely by being unaware of its content.

2.

WHEREAS, **OATH OF OFFICE Section 4.** All eligible public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." As used in this section, "eligible public officers" means the governor, the lieutenant governor, the members of both houses of the legislature, the members of the board of education, the members of the national guard, State or county employees who possess police powers, district court judges, and all those whose appointment requires the consent of the senate. [Ren and am Const Con 1978 and election Nov 7, 1978; am SB 1440 (1992) and election Nov 3, 1992]

A reminder of the contract that was signed. Oath of Office, to support and defend the Constitution of the United States, and the Constitution of the State of Hawaii

Criminal Actions within the State of Hawai Commission on Water Resource Management?

3.

WHEREAS, Under what superiority and whose authority? Ke Ku Nei Kanawai No Laila, The Law stands from then until now

The following can be found the department of state, United States of America, office of the historian- history.state.gov

Recognition **U.S. Recognition of Hawaiian Independence, 1826.**

On December 23, 1826, the U.S. signed a treaty with the Kingdom of Hawaii thus indirectly recognizing Hawaiian independence.

Port of Honolulu, September 19, 1820.

John Coffin Jones, Jr. (also known in Hawaiian documents as John Aluli) was appointed Agent for Commerce and Seamen on September 19, 1820. He began to serve in October of 1820, at the port of Honolulu. The post of commercial agent was raised to consul effective July 5, 1844, and held by Peter A. Brinsmade, who had already been appointed commercial agent on April 13, 1838.

Lahaina (Rahaina).

Earliest Date: April 22, 1850 (confirmation of appointment of consul) Latest Date: April 9, 1869 (confirmation of appointment of consul). Before 1845, Lahaina was the capital of Hawaii. Lahaina is located on the island of Maui.

Treaties and Agreements

Treaty of Friendship, Commerce, and Navigation Between the United States and the Sandwich Islands (Hawaii), 1826.

On December 23, 1826, the U.S. signed articles of arrangement in the typical form of a treaty of friendship, commerce, and navigation with the Kingdom of Hawaii in Honolulu, which confirmed the peace and friendship between the peoples of the two countries. The agreement was signed by the captain of the U.S. sloop of war Peacock Thomas ap Catesby Jones, who was appointed by the U.S., and Guardians of Kauikeaouli, King of the Sandwich Islands: Elisabeta Kaahumanu, the Queen Regent; Karaimoku, the Prime Minister; Boki, Governor of Oahu and personal guardian of the King; Howapili, guardian of Nahienaena, sister of the King; and Lidia Namahana, who was a dowager queen of Kamehameha I. This was the first treaty that the Kingdom of Hawaii signed with any foreign power. It was never ratified by Congress, although both countries acted in accordance with its articles.

Treaty of Friendship, Commerce, and Navigation and Extradition, 1849.

On December 20, 1849, the U.S. and the Kingdom of Hawaii signed a Treaty of Friendship, Commerce, and Navigation and Extradition. The treaty, negotiated by U.S. Secretary of State [John M. Clayton](#) and the Hawaiian special Commissioner to the Government of the United States James Jackson Jarves, was signed in Washington, D.C.

Treaty of Reciprocity, 1875.

On January 30, 1875, United States Secretary of State [Hamilton Fish](#) and the Kingdom of Hawaii's Envoy Extraordinary and Minister Plenipotentiary to the United States Elisha H. Allensigned a Treaty of Reciprocity. This treaty provided for duty-free import of Hawaiian agricultural products into the United States. Conversely, the Kingdom of Hawaii allowed U.S. agricultural products and manufactured goods to enter Hawaiian ports duty-free. This treaty was originally intended to last for a duration of seven years.

Reciprocity Convention, 1884.

On December 6, 1884, the United States and the Kingdom of Hawaii signed a Reciprocity

Convention, pertaining to commercial reciprocity, which was an extension of the 1875 Treaty of Reciprocity.

WHEREAS, Under what superiority and whose authority? ags.hawaii.gov

The Declaration of Rights of 1839 recognized three classes of persons having vested rights in the lands; 1st, the Government; 2nd, the Chiefs; and 3rd, the native Tenants. It declared protection of these rights to both the Chiefly and native Tenant classes.

Kauikeaouli succeeded as King Kamehameha III upon the death of his brother, Kamehameha II. During his rule, the Hawaiian kingdom's first Constitution was granted in 1840, the laws codified and the government reorganized into Executive, Judicial and Legislative branches. It was also at this time that the system of fee simple land ownership was established in Hawai'i.

The māhele, or division of lands between Kamehameha III, the chiefs, and the konohiki was authorized by the Privy Council in December 1847. The māhele is a single transaction that commenced on January 28, 1848 and ended on March 7, 1848. The transaction is recorded in the *Buke Kakau Paa no ka mahele aina i Hooholoia i waena o Kamehameha III a me Na Lii a me na Konohiki ana*, commonly referred to as the Māhele Book.

4.

WHEREAS, Making all of Hawaii Private Property capitol.hawaii.gov

§172-11 Land patents on land commission awards; to whom, for whose benefit. Every land patent issued upon an award of the board of commissioners to quiet land titles, shall be in the name of the person to whom the original award was made, even though the person is deceased, or the title to the real estate thereby granted has been alienated; and all land patents so issued shall inure to the benefit of the heirs and assigns of the holder of the original award. [L 1872, c 21, §1; RL 1925, §568; RL 1935, §1587; RL 1945, §4641; RL 1955, §100-11; HRS §172-11]

Case Notes

Land commission award held good against later royal patent. 1 H. 69; 1 H. 90. Award cannot be collaterally attacked. 1 H. 90.

Certificate of award of land commission, with its accompanying survey, are admissible in evidence. 2 H. 202.

Patents based as awards do not confer or confirm title of later holders. It is merely a quitclaim interest of the government in lands. 3 H. 783; 11 H. 587, 589.

Court is inclined not to disturb award of land commission long adjudicated. 5 H. 354.

Mahele of 1848 considered and defined. 6 H. 195.

Award may be to deceased person; heirs must determine their own respective rights. 15 H. 648.

Section does not authorize the issuance of grant to deceased person. 26 H. 382, 397.

Review of case law and effect of patent. 49 H. 429, 421 P.2d 570.

§172-12 Land patents issued after boundary and commutation settled. Upon

presentation to the department of land and natural resources of a certificate of a commissioner of boundaries defining the boundaries of a portion of an ahupuaa, ili, or other denomination of land, the department shall cause an appraisalment to be made of the unimproved value of that portion of land; and upon payment to the department of the government commutation in that portion of land, upon the appraisalment as above provided, the department shall cause to be issued a land patent for that portion of land, which land patent shall define the boundaries of that portion of land. [L 1872, c 21, §3; RL 1925, §569; RL 1935, §1588; RL 1945, §4642; RL 1955, §100-12; am L Sp 1959 2d, c 1, §21; am L 1961, c 132, §2; HRS §172-12]

Case Notes

Patent is merely quitclaim interest of government in lands. 3 H. 783; 11 H. 587, 589.

Patent is evidence that government right to commutation therein is extinguished. 6 H. 315.

Value of land at time of award is the basis of its appraisalment for commutation of government interest. 8 H. 125.

Patent, valid on its face, may be attacked and declared void in action at law provided evidence shows it to be void for want of authority for its issue. 25 H. 651.

Royal patent issued on land commission award, validity of reservation of mineral rights. 49 H. 429, 421 P.2d 570. Royal patent on land commission award, significance if award defective. 49 H. 456, 479, 421 P.2d 550. Royal patent issued on land commission award, whether schoolhouse site included or excluded. 49 H. 537, 425 P.2d 83.

Cited: 35 H. 608, 658.

senate.gov

5.

WHEREAS, The United States Constitution provides that the president "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur" ([Article II, section 2](#)). ***Treaties are binding agreements between nations and become part of international law. Treaties to which the United States is a party also have the force of federal legislation, forming part of what the Constitution calls "the supreme Law of the Land." The Senate does not ratify treaties.*** constitution.congress.gov

6.

Article VI Supreme Law.

Clause 2 Supremacy Clause

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary

notwithstanding.

On May 28, 1892, in her opening address to the last lawful Legislature, her Majesty Queen Liliuokalani declared her intentions and legislative agenda:

‘...I shall firmly endeavor to preserve the autonomy and absolute independence of this Kingdom and to assist in perpetuating the rights and privileges of all who are subject to our laws and in promoting their welfare and happiness...’

On November 25, 1892 ‘An Act, To Reorganize The Judiciary Department’ was enacted by the Hawaiian Kingdom Legislature, and became law on January 1. 1893:

‘The common law of England, as ascertained by English and American decisions, is hereby declared to be the common law of the Hawaiian Islands in all cases, except as otherwise expressly provided by the Hawaiian Constitution or laws, or fixed by Hawaiian judicial precedent, or established by Hawaiian national usage, provided however, that no person shall be subject to criminal proceedings except as provided by the Hawaiian laws’ [Section 5. Chapter LVII. An Act, To Reorganize The Judiciary Department, enacted on November 25, 1892, effect on January 1. 1893]

While this law was modified by the Territory of Hawaii in 1903, today it’s the first, and foundational Hawaii Revised Statute. HRS §1-1 Common law of the State; exceptions.

Contains the door to Hawaiian Kingdom Law:

‘...except as...fixed by Hawaiian judicial precedent, or established by Hawaiian usage...’

An interesting side note is the modern HRS §1-1 Common law of the State; exceptions.

Traces its legislative intent directly to the law to Queen Liliuokalani wanted to protect ‘the autonomy and absolute independence of this Kingdom’, in 1892.

The Supreme court in Hawaii indicated on June 22, 1977.that “‘Hawaiian usage” must predate November 25, 1892.’ (58 H. 106, 566 P.2d 725.)

Prior to November 25, 1892, the laws of the Hawaiian Islands included, but not limited to:

The Compiled Laws of the Hawaiian Kingdom (1884)

The Penal Codes of the Hawaiian Kingdom (1869)

The Civil Codes of the Hawaiian Kingdom (1859)

The Statute Laws of the Hawaiian Kingdom (1841)

s9

All of the English version of these lac by/ ws can be found at www.llmc.com, click on “open access”, then search “Hawaiian Kingdom”, there get you will find virtually all of the laws mentioned above, including but not limited to legislative records, Supreme Court decisions “fixed by Hawaiian judicial precedent, or established by Hawaiian usage”.

Some of the more important laws that are “established by Hawaiian National usage”, included but are not limited to:

‘The laws are obligatory upon all persons, whether subjects of this kingdom, or citizens or subjects of any foreign State, while within the limits of this kingdom, except so far as exception is made by the laws of nations in respect to Ambassadors or others. The property of all such persons, while such property is within the territorial jurisdiction of this kingdom, is also subject to the laws. The Civil Codes of the Hawaiian Islands (1859), Chapter II OF THE EFFECTS OF LAWS, SECTION 6.

‘An alien, whether his native country be at war or at peace with this kingdom, owes allegiance to this kingdom during his residence therein, and during such residence, is capable of committing treason against this kingdom. [Penal Codes of the Hawaiian Islands

(1869), Article VI. Treason, Section 3.

'All laws now in force in this Kingdom, shall continue and remain in full effect, until altered or repealed by the Legislature; such parts only excepted as are repugnant to this Constitution. All laws heretofore enacted or that may hereafter be enacted, which are contrary to this Constitution, shall be null and void.' ARTICLE 79. Constitution of the Hawaiian Kingdom. 1887.

I do not consent of any violations that is being made within this agency, by any agents of the STATE OF HAWAII and the UNITED STATES OF AMERICA
Hawaii Nei is a Nation created by God.

7.

WHEREAS, Legal License Name WEST MAUI LAND COMPANY INC, License # CT-20528, Entity type: corporation, License Date August 26, 1996 expires on 09/30/2024, Business Address: 305 E Wākea Ave, Kahului, Maui 96732 Corporation, from Latin corporatio ("assumption of a body"), from Latin corporatus, past participle of corporare ("to form into a body") Yet, a corporation can't speak for itself, it is a dead body is no compos mentis...James 2:26 A (body=corporation) without the sacred consecrated breath is dead. A legal "entity" created by or under the authority of the laws of a state.

8.

Title 12 Conservation and Resources 174C State Water Code 174C-7 Commission on Water Resource Management, Case Notes:

Adverse party's due process right to fair tribunal in a contested case hearing before commission not violated by land and natural resources department chairperson also serving as chairperson of commission under subsection (b) where legislature deemed it appropriate for one person to serve in both capacities and could override common law doctrine of incompatible offices which prohibited a person from serving in a dual capacity. 94 H. 97, 9 P.3d 409.

Department of land and natural resources chairperson's dual status as chairperson of the commission and the department did not constitute a reversible due process violation where, although chairperson should have been precluded from presiding over the hearing, objecting party did not seek chairperson's disqualification, and where chairperson's disqualification would have prevented commission from acting on the case for lack of quorum, the "rule of necessity" demanded that chairperson preside over the hearing. 94 H. 97, 9 P.3d 409.

In denying permit application, commission did not wrongfully ignore and abridge petitioner's "ali'i rights" where, to the extent that the ali'i exercised sovereign authority over water, they received such authority by delegation from the sovereign; pursuant to constitutional and statutory mandate, final delegated authority presently resides in the commission, to be exercised for the benefit of the people of the State. 94 H. 97, 9 P.3d 409.

Where department of land and natural resources was a party in a contested case

proceeding before the commission, constitutional mandate that tribunal be impartial precluded chairperson of the commission, who was also chairperson of the department, from presiding over the hearing. 94 H. 97, 9 P.3d 409.

Law Journals and Reviews

Where Justice Flows Like Water: The Moon Court's Role in Illuminating Hawai'i Water Law. 33 UH L. Rev. 537 (2011).

9.

WHEREAS, Our Resources, Waiwai are: nutrients needed for our health and wealth of Kanaka Ko Hawaii Pae Āina, PART IX. NATIVE HAWAIIAN WATER RIGHTS §174C-101 Native Hawaiian water rights. (a) Provisions of this chapter shall not be construed to amend or modify rights or entitlements to water as provided for by the Hawaiian Homes Commission Act, 1920, as amended, and by chapters 167 and 168, relating to the Molokai irrigation system. Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act.(b) No provision of this chapter shall diminish or extinguish trust revenues derived from existing water licenses unless compensation is made.(c) Traditional and customary rights of ahupua`a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778 shall not be abridged or denied by this chapter. Such traditional and customary rights shall include, but not be limited to, the cultivation or propagation of taro on one's own kuleana and the gathering of hihiwai, opae, o`opu, limu, thatch, ti leaf, aho cord, and medicinal plants for subsistence, cultural, and religious purposes.(d) The appurtenant water rights of kuleana and taro lands, along with those traditional and customary rights assured in this section, including access by the holder thereof to conduct activities necessary to assure the use, delivery, and quality of water including temperature and turbidity, that shall not be unreasonably withheld, shall not be diminished or extinguished by a failure to apply for or to receive a permit under this chapter. [L 1987, c 45, pt of §2; am L 1991, c 325, §8; am L 2022, c 27, §5 Cross ReferencesHand-pounded poi, see §321-4.7. Law Journals and Reviews Native Hawaiian Homestead Water Reservation Rights: Providing Good Living Conditions for Native Hawaiian Homesteaders. 25 UH L. Rev. 85 The Life of the Law is Perpetuated in Righteousness: The Jurisprudence of William S. Richardson. 33 UH L. Rev. 99 (2010). Where Justice Flows Like Water: The Moon Court's Role in Illuminating Hawai'i Water Law. 33 UH L. Rev. 537 (2011). Case Notes: Although the Hawaii administrative rules denominate aquifer-specific reservations of water to the department of Hawaiian home lands, such a limitation for purposes of water resource management does not divest the department of its right to protect its reservation interests from interfering water uses in

adjacent aquifers. 103 H. 401, 83 P.3d 664. Insofar as the commission on water resource management, as the agency authorized to administer the state water code, determines the contents of the Hawaii water plan, which includes the designation of hydrologic units and sustainable yields, and the commission's "interpretation of its own rules is entitled to deference unless it is plainly erroneous or inconsistent with the underlying legislative purpose", it is within the commission's authority to limit reservations of water to specific aquifers. 103 H. 401, 83 P.3d 664. Pursuant to article XI, §§1 and 7 of the Hawaii constitution, §220(d) of the Hawaiian Homes Commission Act, and subsection (a), a reservation of water constitutes a public trust purpose. 103 H. 401, 83 P.3d 664. Where commission on water resource management failed to render the requisite findings of fact and conclusions of law with respect to whether applicant had satisfied its burden as mandated by the state water code, it violated its public trust duty to protect the department of Hawaiian home lands' reservation rights under the Hawaiian Homes Commission Act, the state water code, the state constitution, and the public trust doctrine in balancing the various competing interests in the state water resources trust. 103 H. 401, 83 P.3d 664. Where commission on water resource management refused to permit cross examination of water use applicant's oceanography expert regarding the limu population along the shoreline, in effect precluding the commission from effectively balancing the applicant's proposed private commercial use of water against an enumerated public trust purpose, the commission failed adequately to discharge its public trust duty to protect native Hawaiians' traditional and customary gathering rights, as guaranteed by the Hawaiian Homes Commission Act, §220, article XII, §7 of the Hawaii constitution, and this section. 103 H. 401, 83 P.3d 664. Commission on water resource management's conclusion that "no evidence was presented" to suggest that the rights of native Hawaiians would be adversely affected by permit applicant's proposed use erroneously shifted the burden of proof to complainants; thus, commission failed to adhere to the proper burden of proof standard to maintain the protection of native Hawaiians' traditional and customary gathering rights in discharging its public trust obligations. 116 H. 481, 174 P.3d 320.

I Roslyn Manawaiakea, offer my support for the West Maui communities' for all their kuleana, hard work to restore wai, freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury developers.

Now all of their hard work, and the future of West Maui's wai, freshwater resources, are at stake because of dishonest, dangerous narratives by corporate entities.

I ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are

being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai Ola

Roslyn Manawaiakea

From: [Erika Lygren](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Uphold state water code!
Date: Monday, September 18, 2023 6:34:53 PM

Aloha Chair and Commissioners,

My name is Erika Lygren and I am a tourist who lives in New Mexico.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Erika

Just a tourist

From: [Kristen Young](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Monday, September 18, 2023 7:38:42 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Kristen Young and I live in Honolulu. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

I have learned of West Maui's communities' battle for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

The Lahaina fires have shown the dangers of poor water management and we must learn from it going forward.

I kindly ask that the commission consider doing the following:

- uphold the Maui Komohana Water Management Area designation;
- ensure that the updated interim instream flow standards for West Maui are being met;
- reinstate Kaleo Manuel as deputy director;
- and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,
Kristen

Aloha Chair and Commissioners,

My name is Kawai Warren, and I reside in Kekaha Kauai. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future.

Mahalo,

Kawai Warren

Kekaha Kauai

From: [Lauren Kang](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Monday, September 18, 2023 8:43:02 PM

Aloha Chair Chang and Commissioners,

My name is Charlie Palakiko, and I live in Kaua'ula valley, Lahaina.

I testify today to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!,

Charlie Palakiko

Sent from [Mail](#) for Windows

Aloha Chair and Commissioners,

My name is Spencer Headley, and I live in Lahaina, just North of the fire zone. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. Please see the obvious obfuscation and illegal activity that reroutes the Kaua'ula stream beyond the state minimum flow standards. In addition, false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management.
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area.

Thank you for your time and consideration,

Spencer Headley, M.P.H.

From: [Petra Wenzel](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Water rights - Water Commission meeting
Date: Monday, September 18, 2023 9:16:59 PM

Aloha Chair and Commissioners,

My name is Petra Leimomi Wenzel, and I reside in Munich, Bavaria, Germany. But I am deeply connected to Maui.

I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.


I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,
Petra Wenzel
Munich, Germany

MALAMA PONO


81669 München


info@malama-pono.de
www.malama-pono.de

From: [Haunani Haia](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Support in Maui Komohana Water Management
Date: Monday, September 18, 2023 10:40:46 PM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Haunani Haia. I currently live in Wai‘anae, O‘ahu but I am a lineal descendant of Lāhainā. I am writing today to give my support for the West Maui communities’ many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone now and for future generations.

I am urging the commission to uphold the Maui Komohana Water Management Area designation which countless time and effort over the years has been put in on this very important and vital issue which shouldn‘t even be an issue. Water should flow naturally and unobstructed, in West Maui as well as all the Hawaiian islands. I also urge the commission to ensure that the interim instream flow standards are being met not only because it's the right thing to do but also because it's the LAW!

West Maui’s communities have fought long and hard for the return of their rightful water after decades of poor water management by plantations, tourism (i.e. hotels and golf courses) and now luxury gentlemen “farm” developers. Now all of their hard work, and the future of West Maui’s freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

It's your job and your privilege as the Water Commission to ensure fair water sharing for public use NOT for political and economical corporate greed.

So again, I’m urging the commission to uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, our ‘āina, and for future generations.

*Ola i ka wai,
Haunani*

From: [Nani Peterson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony - Maui Water resources
Date: Tuesday, September 19, 2023 1:19:14 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Nani Peterson and I live in Wai'anae. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

*Ola i ka wai,
Nani Peterson*

From: [Candace Fujikane](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] Testimony on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Tuesday, September 19, 2023 1:54:07 AM

Aloha mai,

Please accept my testimony on C-1, Water Resources in the Lahaina Aquifer Sector Area.

I will attend the meeting in person to present this testimony orally.

Thank you,

Candace Fujikane

To: Commission on Water Resource Management

From: Candace Fujikane, UHM Professor of English, author of *Mapping Abundance* (Duke University Press, 2021)

Date: September 18, 2023

Subject line: Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area

Aloha Chair Chang and members of the Commission on Water Resource Management, My name is Candace Fujikane, and I am an English professor at the University of Hawai'i. I live in He'eia Uli, and I write books about land and water struggles in Hawai'i. I am writing today to support Maui Komohana (West Maui) communities' years of hard work to restore their freshwater resources and establish management practices that benefit all peoples of Lahaina. Deputy Director Kaleo Manuel's leadership has been critical to the just restoration of water in Lahaina, and I also write to urge his reinstatement.

I am testifying in support of the 2022 Maui Komohana Water Management area against the governor's attempt to repeal the management area, but I also urge that there be a dual system that recognizes the water rights of kuleana land holders. The public eye has been directed to the attempts of West Maui Land Company's Glenn Tremble to roll back newly established water management protections for Maui Komohana by trying to hoard water being returned to kuleana landholders, even suggesting that kuleana land holders and Water Commission deputy Kaleo Manuel were at fault for preventing water from filling the reservoirs as Launui-poko with diverted stream water that could have been used for fighting the wildfires in Lahaina. *We know this is false. The public now knows that this is false.* The reservoirs were not connected to the county's fire hydrants, and helicopters could not be used for water drops because of high winds. In fact, if the return of stream waters had been stopped, farmers would not have had water for their own efforts to fight the fire. It is appalling to find that the governor has issued an emergency proclamation suspending the Water Code for Maui Komohana without public consultation with the Commission on Water Resources Management. The Water Code was established for the protection of water, and I find this emergency proclamation as disturbing as the governor's other emergency proclamations lifting environmental and labor protections.

I also want to point out that kuleana landholder rights to water is not in conflict with that of the general public, and that there is enough water for everyone if we protect water from corporate water banking. In the historic lawsuit of *Horner v. Kumuuliili* (1895), the Hawai‘i Supreme Court recognized that water was subject to the rights of kuleana land holders and other native tenants in Kaua‘ula Valley. In this case, Pioneer Mill sued sixty West Maui Kānaka Maoli kalo farmers who claimed water in Kaua‘ula Valley. The Hawai‘i Supreme Court ruled against the Pioneer Mill in favor of the historic eleven day rotation system to ensure the just distribution of water. Jonathan Scheuer and Bianca Isaki write about this history in their book, *Water and Power in West Maui*. We also have to remember that under the Kingdom of Hawai‘i, water was not privatized and according to Section 7 of the Kuleana Act of 1850, all Land Commission Awards were emblazoned with the words, “koe na‘e ke kuleana o nā kānaka,” that is, all lands and waters are “subject to the rights of Native tenants.” That protection continues today in the recognition of water as a public trust, *but we need a dual system that recognizes that kuleana land holders continue to have a unique right to waters*, as developers like West Maui Land and corporate interests continue the processes of quieting title to kuleana lands and seizing water. We have seen over and over again how privatized watersheds lead to hikes in water prices that kuleana landholders cannot afford. Kuleana land holders have historically been the best stewards of waters for *everyone’s* benefit, and we need to recognize this by supporting their needs with infrastructure that will give them access to the watershed that is not dependent on the water structures built by developers.

I urge you to uphold the Maui Komohana Water Management Area designation while recognizing kuleana land holder rights to water; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code. I also urge you to work with the kuleana land holders whose families have worked for generations to steward water in Lahaina and who know best the practices that will sustain *all peoples of Lahaina* for generations.

Me ke aloha,
Candace Fujikane
Professor of English
University of Hawai‘i

Author of *Mapping Abundance for a Planetary Future: Kanaka Maoli and Critical Settler Cartographies in Hawai‘i* (Duke University Press, 2021)



From: [Kala Baybayan Tanaka](#)
To: [Kaaa, Iwalani HR](#)
Cc: [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Agenda Item C1, Update on Water Resources in the Lahaina Aquifer Sector
Date: Tuesday, September 19, 2023 5:49:37 AM

Aloha e Chair Chang and Commissioners,

My name is Paanakala Tanaka and I am from Lahaina. I am a community member, teacher in the Hawaiian Immersion middle school in Lahaina, as well as the Education Director for the Lahaina based Hawaiian voyaging canoe non-profit, Hui o Wa'a Kaulua. Thank you for taking the time to receive my testimony as I was born and raised in Lahaina, my family home was one of the many homes consumed by the fire. I am a lineal descendent of Kahoma Valley and have lo'i kalo in that valley. I testify to share my profound aloha for Maui Komohana. In the wake of the wildfires and during this time of huluhia, we need the Water Commission's leadership and kōkua now more than ever.

In June 2022, this Commission unanimously designated Maui Komohana as ground and surface water management areas. In good faith, many of us on Maui invested the better part of a year putting together water use permit applications with the hope that our water rights would finally be recognized. We submitted those applications on August 7, 2023, a day before the wildfires ravaged Lahaina. While we grieved and struggled to recover, the Governor suspended the Water Code and Chair Chang "reassigned" Deputy Director Manuel. Chaos ensued as diverters filled their pools and reservoirs and our streams ran dry.

We are here today to ask you to honor the Water Code, as well as your decision to designate our community for more proactive water management. Fresh water is key to Maui Komohana's future, and our community's needs must be centered in decision making. In particular, we request that you immediately reinstate Deputy Director Manuel. His leadership and integrity is desperately needed both by this Commission and the larger community.

On an island surrounded by ocean, Lahaina within feet of that water, we know the water designation did not prevent the spread of wildfire, we have more than enough ocean water that should have been used to extinguish the fire. Our fresh water resource is the key to Maui Komohana's successful recovery and future thus Water Management Area designation must be respected and water use permitting must proceed.

Please hold your October 17, 2023 meeting on Maui so that you can hear directly from those of us who were most affected by the fires.

Ola i ka wai!

Paanaakala Tanaka


From: [Momilanionakupunaaloha.Nu'uhiwa](mailto:Momilanionakupunaaloha.Nu'uhiwa@hawaii.gov)
To: ivalani.hr.kkaaa@hawaii.gov; DLNR.CW.DLNR.CWRM
Subject: [EXTERNAL] Testimony
Date: Tuesday, September 19, 2023 6:24:57 AM

Aloha,

My name is Momilanionākūpunaaloha Nu'uhiwa. I am a descendant of Martha Kamaka Lua'ehu, daughter of John Lua'ehu Pauahi and Ane Poole. John Lua'ehu Pauahi is the son of Kalaauala Lua'ehu Pauahi and Keahi Mii Keliianaole. Kalaauala Lua'ehu Pauahi is the son of Manono and Kā'anā'anā Puou. I currently live in Hilo, in the ahupua'a of Pu'ueo on the banks of the 'Āwehi river which receives it's life giving water from Mauna Kea. My Lua'ehu 'ohana descends from Maui and my relatives there have suffered tremendously as a result of the Lāhainā and Kula fires.

I assert a collective kuleana to mālama our precious water resources. Protection of the public trust protects Hawai'i's people. I answer the call for solidarity amongst all working class people of Hawai'i to resist corporate control of resources and to demand a future that puts the needs of our people, our 'āina and our environment before the profits of corporations and luxury developers. I call on Governor Joshua Green and the Water Commission to respect and uphold West Maui's Ground and Surface Water Management Areas. I call on the Water Commission to enforce stream flow standards to ensure that kuleana users, small family farmers and the streams themselves are getting the water they need before water is taken for luxury homes and other development. I call on the Water Commission to process water use permit applications for public trust purposes- such as lo'i kalo, loko i'a and other traditional and customary Native Hawaiian practices and individual domestic uses FIRST, before applications for developers, luxury homes, private commercial uses and the county of Maui. I call for Deputy Director Kaleo Manuel's immediate reinstatement. I reject the false narrative that a single Water Deputy who has proven to be highly impactful in his job, somehow impeded firefighting efforts on August 8, 2023. I reject the continued corporate dominance of water and land resources that should be used to better the quality of life of people and our homes. I reject corporate misinformation and lies that allow the continued theft of water throughout Hawai'i and in Lāhainā in particular. I reject the legacy of water theft in Hawai'i that is rooted in colonial exploitation, oligarchical control, manipulation, and exploitation of people, land, and water. I reject plantation disaster capitalism that puts corporate profit before the well-being of Hawai'i's people, especially while they are most vulnerable. I reject the status quo approach of Chair Dawn Change and Governor Joshua Green that utilizes manipulative tactics to further the interests of private, for-profit developers at the expense of the community at-large and the public trust.

West Maui Land Company is using the tragedy of the Lahaina wildfires and the Governor's emergency proclamation as an excuse to undermine water rights and decades of

community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. Lahaina was historically a wetland, an area abundant in freshwater and a vibrant native ecosystem. But a century of excessive stream diversions took millions of gallons of freshwater from across Maui Komohana (West Maui) for private corporations— first sugar plantation owners and now luxury estates.

One of these companies is West Maui Land Company: a real estate developer who sucked public streams dry in order to build hotels, golf courses, luxury homes, and colonial-style subdivisions. Their subsidiary is Launuiopoko Irrigation Company, which takes all of the water from Kaua'ula Stream to provide water for exotic landscaping, pools, golf courses, and decorative fountains. On the day of the Lahaina fires, West Maui Land Company wrote a series of letters to the Governor and the Hawai'i Department of Land and Natural Resources requesting more stream water be diverted than allowed under state law in order to fill their water reservoirs for firefighting. The truth and reality is that the water reservoirs that West Maui Land Co. asked to fill up could NOT have been used to fight the Lahaina fires. This is because these reservoirs only serve the luxury estates above Lahaina, and are not connected to the county water system or any fire hydrants. Plus, the 80-mile-an-hour winds from Hurricane Dora meant no helicopters were allowed to make water drops. When West Maui Land Company's request to divert water was not immediately granted, they insinuated that stream protections were to blame for the fire, going so far as to blame a single Hawaiian kalo farmer for the lack of water to fight the fire. This resulted in misleading media articles and ultimately Kaleo Manuel, Deputy Director of the Department of Land and Natural Resources' Commission on Water Resources Management (Water Commission), being swiftly removed from his position. Kaleo helped to advance stream restoration throughout the state and served nearly four years on the Water Commission. He is the longest serving Water Commission Deputy Director and the first Native Hawaiian to serve in this position.

West Maui Land Co. is exploiting the tragedy in Lahaina to further justify increasing water diversions under their corporate control. Not only did they unfairly position Kaleo Manuel as a scapegoat for decades-long debates over their own water misuse, but they are now asking the Water Commission to suspend and change the Water Management Designation Area of West Maui, which adds permitting and accountability for privatized commercial water use, now and into the future.

I call on Governor Josh Green, Hawai'i state legislators, and the Department of Land and Natural Resources to do the following:

1. Recenter Maui Kama'āina in the decisions about their future
2. Return Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. Reinstate the State Water Code
4. Respect the Maui Komohana Water Management Area
5. Reinstate Sunshine Law to restore public meetings and decision making transparency

The actions taken now by the state Government must ensure the long-term recovery and

sustainability of Maui for future generations. Colonialism and climate change are what created the conditions that spread the devastating wildfire in Lahaina.

There is a path forward that balances affordable housing needs, traditional and customary practices, and long term stream health. We can chart that course together so long as the greed of some is properly controlled.

E ola i ka wai. Water is life.

Mai poina Moku'ula me loko Mokuhinia. E ho'i 'O Kihawahine i Lua'ehu.

Do not forget Moku'ula and Mokuhinia pond. Kihawahine will return to her place in Lua'ehu.

Momi Nu'uhiwa

Hilo

From: [kaliko Dutro](#)
To: [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Water.
Date: Tuesday, September 19, 2023 9:05:16 PM

Aloha Chair and Commissioners,

My name is David Leialoha-Dutro, and I reside in Lahaina and am displaced up in Pukalani up country Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

- 1: The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights. We have fought this good fight for generations.
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable. No accountability over the years have built up frustrations and anger to the Kanaka of this pie aina.
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

David Leialoha-Dutro
LAHAINA

From: [REDACTED]
To: [Kaaa, Iwalani HR; DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] water-rights Commission
Date: Tuesday, September 19, 2023 8:37:06 AM

Sample Testimony - Muster für eine Stellungnahme:

Aloha Chair and Commissioners,

My name is Christine Ohonmele, and I reside in Munich, Bavaria, Germany. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those effected by your decisions.

Mahalo,

Christine Ohonmele

[REDACTED]
81671 Munich

Germany

auf die Schnelle übersetzt mit DeepL:

Aloha Vorsitzender und Kommissare,
mein Name ist (Ihr Name), und ich wohne in (Ihr Wohnort). Ich bin besorgt darüber, dass

falsche Argumente von West Maui Land Co. benutzt werden, um Wasserrechte und jahrzehntelangen Einsatz für die Gemeinschaft zu untergraben, die dazu beigetragen haben, Mauis Wasserläufe wiederherzustellen und Kleinbauern vor der Ausbeutung durch Großunternehmen zu schützen. Diese falschen Argumente haben kleine Taro-Bauern und den ehemaligen stellvertretenden Direktor der Wasserkommission, Kaleo Manuel, auf unfaire Weise zum Sündenbock gemacht.

Ich sage aus, um die folgenden Punkte zu unterstützen:

1. Die Wasserkommission sollte das staatliche Wassergesetzbuch aufrechterhalten, um sicherzustellen, dass die öffentlichen Wasserressourcen gleichmäßig verteilt werden, insbesondere für die Wasserrechte der Ureinwohner Hawaiis.
2. Die Vorsitzende Dawn Chang sollte Kaleo Manuel wieder als stellvertretenden Direktor der Kommission für Wasserressourcenmanagement einsetzen.
3. Die Wasserkommission sollte überprüfen, ob die West Maui Land Co. die Standards für den Zufluss von Wasser einhält und die Unternehmen zur Rechenschaft ziehen.
4. Die Wasserkommission sollte die bestehende Ausweisung der Maui Komohana Water Management Area respektieren und
5. Die Wasserkommission sollte Maui Kama'āina wieder in die Entscheidungen über ihre Zukunft einbeziehen und ihre nächste Sitzung auf Maui abhalten, damit sie direkt von denjenigen hören kann, die von ihren Entscheidungen betroffen sind.

Mahalo,
(Ihr Name)
(Ihr Wohnsitz)

From: [Sharde Freitas](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Tuesday, September 19, 2023 9:04:13 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Sharde Freitas and I live in Hilo, Hawai'i. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for everyone. I also want to express my appreciation to the commission and your work to manage and uphold the public trust in our precious wai - especially the immense strides made under the leadership of Kaleo Manuel.

Mr. Manuel was my former supervisor and continues to be a mentor. I have learned so much from him, including about Hawai'i's Water laws, and upholding the public trust. As you have all witnessed and experienced as well, he has done so much for Hawai'i and our precious wai in upholding the law and the desires of the community -- who know their 'āina best. Hawai'i, now and in the future, will be better with Mr. Manuel back where he rightfully belongs in his position as the Deputy for the commission.

West Maui's communities have long fought for the return of their rightful water after decades of poor water management by plantations and now luxury gentlemen farm developers. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, 'āina, and future generations.

Ola i ka wai,

Sharde Mersberg Freitas, Esq., MPH

From: [Kahala Johnson](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNR.CWRM](#)
Subject: [EXTERNAL] 19 September 2023 Agenda: Testimony Item C-1
Date: Tuesday, September 19, 2023 9:42:53 AM

Aloha Chair and Commissioners,

My name is Kahala Johnson, and I reside in Nā Wai 'Ehā on Maui. I am concerned that false arguments by West Maui Land Co. are being used to undermine water rights and decades of community advocacy that helped restore Maui's streams and protect small farmers from the exploitation of big business. These false arguments have unfairly scapegoated small taro farmers and former Water Commission Deputy Director Kaleo Manuel.

I am testifying in support of the following:

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
4. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should re-center Maui Kama'āina in the decisions about their future and hold their next meeting in Maui so that they can hear directly from those affected by your decisions.

More personally, Kaleo and other Kia'iwai are part of a deep mo'ō protecting the reservoir of kuleana that Hawaiians have to the land and waters of our archipelago, a reservoir guarded by Mo'oinānea and Kīhāwahine, as well as women leaders like Emma Nakuina, from whom current wai kānāwai flow. As with the Kia'iwai of O'ahu who fight to protect Kapūkākāi from military pollution, the Kia'iwai of Lele fight to protect Lahaina from elite corporate manipulation of the public trust and its protectors. *I ka wai ke ola, I ka wai ka make, Kīhā ka wai a mo'ō.*

Mahalo,
Kahala Johnson
Nā Wai 'Ehā

From: [Davis Price](#)
To: [Kaaa, Iwalani HR](#); [DLNR.CW.DLNRCWRM](#)
Subject: [EXTERNAL] CWRM Testimony - 9/19/23 - C.1.
Date: Tuesday, September 19, 2023 10:56:21 AM

Aloha, I am unable to remain in attendance for the virtual testimony, but would like to submit the testimony below for the record. Mahalo!

Aloha e Commissioners,

My name is Davis Price, I am the Hawai'i Regional Director for NDN Collective, a national organization that centers the empowerment of indigenous communities to develop sustainable solutions that foster justice and equity for people and our planet.

I am testifying today in regards to agenda item C.1. regarding water resources in the Lahaina Aquifer Sector Area. In order to properly administer resources and decisions at this time of great urgency and immense pressure, it is imperative that leadership be up to the task. That leadership should have the background and experience on water issues in order to artfully navigate the needs of various interest groups. That leadership should have knowledge of the law and policy on the matter such as the Water Code and be capable of elevating solutions that uphold the spirit and integrity of the law and the intent behind its adoption. And most importantly, the leadership needed right now must have the trust of the people of West Maui.

It is apparent that this leadership under Governor Green and Dawn Chang has proven untrustworthy to carry forward this Commission's kuleana. The swift removal of Deputy Kaleo Manuel immediately after a single unverified news story broke just days after the fire, with no further investigation and with no consultation with the commission, is baffling. This sequence of events seems to have been set in motion by a letter from West Maui Land Co. executives to Chair Chang.

The letter communication and subsequent actions by Chang Chang is alarming as it gives the appearance that one stakeholder group (West Maui Land Co.) is operating with greater influence and access to decision-makers than others from the community in Maui Komohana. Furthermore, this is alarming because the relationship between West Maui Land Co. and Lahaina community members has been extremely adversarial over many years and the community has relied on bodies such as the CWRM and individuals such as former Deputy Manuel to balance the interests and arbitrate this tenuous relationship amongst competing stakeholders. The playing field has never been level and the community has fought to protect precious water resources, despite being highly disadvantaged and outmatched with financial resources that West Maui Land Co. has access to. In sum, the CWRM and Water Deputy should be able to balance these interests as Deputy Manuel was able to do, and it seems he has been punished for doing this job

effectively and as a result the people of Maui Komohana and the public at-large so too have been punished.

Until this matter is resolved via an investigative inquiry as to how and why a letter from West Maui Land Co. executives resulted in the removal of an effective official, the commission will be challenged to move forward with any semblance of trust from the community at-large, thus making recovery efforts all the more challenging. It behooves this commission to investigate the matter of West Maui Land Co.'s role in Deputy Manuel's removal, so as to uphold the integrity of any decisions this body makes going forward. Additionally, the Commission should move to **reinstate Kaleo Manuel immediately.**

Finally, we cannot allow the interest of large landowner corporations undermine the integrity of the Water Code and the effectiveness of the Commission's work. I respectfully urge the commission to adhere to the requests below. Mahalo

1. The Water Commission should uphold the State Water Code to ensure public trust water resources are shared equally, especially for Native Hawaiian water rights
2. Chair Dawn Chang should reinstate Kaleo Manuel as the Deputy Director of the Commission on Water Resources Management
3. The Water Commission should verify that West Maui Land Co. is complying with instream flow standards and hold corporate interests accountable
3. The Water Commission should respect the existing designation of Maui Komohana Water Management Area and
5. The Water Commission should comply with Sunshine Law to hold public meetings that re-center Maui Kama'āina in the decisions about their future

--

Davis Price, 'Ōiwi Hawai'i
Regional Director, Hawai'i

[Redacted]

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From: [Patti Choy](#)
To: [DLNR.CW.DLNR.CWRM](#); [Kaaa, Iwalani HR](#)
Subject: [EXTERNAL] Comments on C-1, Water Resources in the Lahaina Aquifer Sector Area
Date: Tuesday, September 19, 2023 11:52:47 AM

Aloha Chair Chang and members of the Commission on Water Resource Management,

My name is Patti Choy and I live in Honolulu. I am writing today to offer my support for the West Maui communities' many years of hard work to restore their freshwater resources and establish management practices that ensure there is enough water for all residents.

West Maui's communities have long fought for the return of their rightful water after enduring decades of it being stolen from them, living with the destruction and mismanagement of their water resources, and listening to lie after lie from plantations and now luxury gentlemen farm developers about their water. Now all of their hard work, and the future of West Maui's freshwater resources, are at stake because of dishonest, dangerous narratives by corporate water hoarders who remain protected by government officials.

I kindly ask that the commission uphold the Maui Komohana Water Management Area designation; ensure that the updated interim instream flow standards for West Maui are being met; reinstate Kaleo Manuel as deputy director; and urge staff to continue their efforts to implement our Water Code, and manage and protect our most precious resource for our communities, āina, and future generations.

Maui Stroing! Ola i ka wai,

Patrice Choy

Shut Down Red Hill
Not Pau Yet!

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My name is Fred Reppun. I work for the He'eia National Estuarine Research Reserve, but I am giving testimony today as a resident of Windward O'ahu. I support the Lahaina community members who have spoken. The fires highlight the need for holistic management of water resources in the area. Designation as a surface/groundwater management area is the best tool for that, and was a huge effort representing the collective will of the community. I urge the commission to see it through. Kaleo Manuel is the best person to ensure that this process runs smoothly and fairly. We are also in the midst of decision-making on water resources in He'eia, and we need Kaleo's expertise, skill, and leadership to help resolve these issues while minimizing unnecessary conflict. Mahalo.



Restore the Commons

19 September 2023

Commission on Water Resource Management
1151 Punchbowl Street Room 132
Honolulu HI 96813

Item C-1: Regarding Water Resources in the Lāhainā Aquifer Sector

Mahalo for the opportunity to address the Commission on the public confusion regarding water resource issues in the Lāhainā Aquifer Sector. I am not attending person, as a call has gone out for many to ply a false narrative, and such a spectacle is just too much for me any more. I appreciate your graciousness in sitting through that.

First, I applaud the difficult step of designating the Sector's ground and surface waters, as this seems to be the only way a community rife with conflict can air out the necessities of water resource management. Over many years of pursuing rational decision-making, and witnessing Maui County's repeated efforts to promote community planning, it is plain enough that rational community decision-making could not unfold in this contentious environment. Rather, quasi-judicial proceedings may provide the context for ultimately resolving these conflicts to greater but doubtless not complete satisfaction.

A false narrative has arisen over the reasons for Deputy Manuel's reassignment. While I do not have all the facts, it is quite clear that his lack of training in public administration has been a disaster, as the staff's efficacy, reputation, and collaboration with the myriad actors in water management have been mangled. The idea that greater stream diversion for fire fighting was the context for that decision seems off-base, despite appropriate anger over continued efforts by West Maui Land to illegitimately usurp the use of water. Unforeseeable fire developments rendered choices moot and resulted in a firestorm incapable of containment. Finger-pointing is the refuge of ignorance and weak-mindedness. I was among the first to call for the Deputy's removal for administrative malfeasance long before this event, but I support his decision in this matter.

Having approved many wells in the hobby farming subdivision adjacent to Lāhainā, in accord with law, rule, and procedure, despite my disapproving the purposes of hobby farming, the result is an optimally appropriate draw upon available ground water, and the startling prospect that these wells and an awakened community of hobby farmers might provide key resources for the restoration of a landscape long abused by their forebears. There are possibilities of restoring a more traditional Hawaiian landscape, by dedicating those water resources to the grow-out of more fire-adaptive native plant materials to replace the invasive grasses that burned, and the cultivation of compostable materials to begin rebuilding a depleted and now burned soil. In addition, of course, this "agricultural subdivision" could provide greatly improved food security by raising fresh food crops for the community at large. The land owners could all become "cooperators" with the U.S. Natural Resource Conservation Service, gaining access to resources to facilitate these efforts.

Far more important, in my view, is that this water resource solution could finally release all the water in Kaua'ula Stream for its traditional service to lo'i kalo, the full restoration of the stream to its mouth, and the slow restoration of the wetland at Moku'ula and Mokuhinia as a more traditional community center. Native planters have been struggling for this result for generations, and it is time to recognize their proper priority in the use of water resources. The Commission should adopt a fifth public trust use of water for food agriculture, to resurrect ancient Hawaiian tradition.

The outpouring of compassion for this community is an opportunity to reconcile long-standing divisions, rather than reigniting them and distracting from building a viable future. I appreciate the opportunity to share some ideas, in the confidence that leadership rising for Maui Komohana can establish priorities for the future.

Ma ke ea o ka 'āina,

Charley Ice, Waimalu uka, Pu'uuloa, O'ahu

Hydrologist, Commission on Water Resource Management, 25 years (retired); DHHL Planning Office 10 years