

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

SIERRA CLUB,) CIVIL NO. 19-1-0019-01 JPC
) (Environmental Court)
 Plaintiff,)
 vs.) DECLARATION OF ROB WELTMAN
)
 BOARD OF LAND AND NATURAL)
 RESOURCES, DEPARTMENT OF LAND)
 AND NATURAL RESOURCES, SUZANNE)
 CASE in her official capacity as Chairperson)
 of the Board of Land and Natural Resources,)
 ALEXANDER AND BALDWIN, INC., and)
 EAST MAUI IRRIGATION, LLC)
)
 Defendants.)
)

DECLARATION OF ROB WELTMAN

I, Rob Weltman, under penalty of perjury hereby state the following is true and accurate to the best of my knowledge and belief:

1. The statements below are based upon my personal knowledge.
2. I live on, and am a resident of, Maui.
3. I have been a member of the Sierra Club since 1995.
4. I am the chair of the Sierra Club's Maui Group as well as the Maui Group's Outings Committee.
5. I have also served on the Sierra Club Hawai'i state chapter's executive committee.
6. The Sierra Club's mission is to explore, enjoy and protect the wild places of the earth.

7. One of the Sierra Club's purposes is the protection of natural resources, including our streams and native aquatic life.
8. The Sierra Club and its members seek to preserve and enjoy free-flowing streams.
9. Sierra Club members hike along streams that have been or are diverted by A&B pursuant to the continuation of revocable permits S-7263 (Tax Map Key (2) 1-1-001:044), S-7264 (Tax Map Keys (2) 1-1-001:050, 2-9-014:001, 005, 011, 012 & 017) and S-7265 (Tax Map Key (2) 1-1-002:por. 002) and S-7266 (Tax Map Keys (2) 1-2-004:005 & 007) (“**revocable permits**”).
10. I have hiked to, or along, Makapipi Stream, Hanawī Stream, Kopili‘ula Stream, West Wailuaiki Stream, Wahinepe‘e Stream, Waikamoi Stream, and Honopou Stream.
11. I hike in the East Maui watershed several times a year.
12. On these hikes to and along streams in East Maui, I explore the plant and aquatic life made possible by stream flows, enjoy views of dramatic waterfalls, appreciate the beauty of nature, experience the sounds made by flowing water, dip into the stream to cool off, and bask in nature’s wonder.
13. One of the joys of hiking is getting away from civilization and seeing the world in its natural condition.
14. I have hiked above, below and next to the stream diversions.
15. When the streams are flowing, I revel in watching stream life reinvigorated.
16. I have seen the streams flowing with lots of water and I have seen the streams with only a trickle of water.

17. When the streams lack water, it has saddened me because I come to enjoy a natural experience. The hiking experience is also less interesting when stream flow is diminished by diversions.

18. That experience is diminished when I see man-made blockages along our streams.

19. I have participated in numerous service projects on Maui to get rid of invasive species – but have not been able to do so within the area covered by the revocable permits.

20. I have seen invasive plants crowd out native species in the East Maui watershed covered by the revocable permits.

21. My interests would be adversely affected if the revocable permits are continued for another year without sufficient conditions to protect our natural environment.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Kihei, Hawai'i, January 14, 2019.



Rob Weltman

Civil No. 19-1-0019-01 (JPC)

Defendant A&B/EMI's Exhibit AB-95

FOR IDENTIFICATION _____

RECEIVED IN EVIDENCE _____

CLERK _____