

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the Senate Committee on
WATER, LAND, CULTURE AND THE ARTS

Friday, April 17, 2026
1:15 PM
State Capitol, Room 224

In consideration of
HOUSE CONCURRENT RESOLUTION 178, HOUSE DRAFT 1
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRIORITIZE
ISSUING A WATER SET-ASIDE TO THE COUNTY OF MAUI THROUGH AN EXECUTIVE
ORDER BY THE GOVERNOR TO SUPPORT THE MANAGEMENT OF PUBLIC TRUST
WATER RESOURCES IN EAST MAUI

The Department of Land and Natural Resources (Department) appreciates the intent of House Concurrent Resolution 178, House Draft 1, which urges the Department to prioritize issuing a set-aside to the County of Maui through an Executive Order by the Governor to support the management of public trust water resources in East Maui, specifically the Nāhiku, Ke'anae, Honomanū, and Huelo State License Area. **The Department offers the following comments.**

The Department recognizes the ongoing interest in the disposition and management of surface water resources in East Maui, including those associated with the East Maui Irrigation system.

The Board of Land and Natural Resources (Board) is authorized to evaluate and approve any long-term disposition of state lands and resources, including the issuance of a water license by public auction or a set-aside to another government entity pursuant to chapter 171, HRS. Ultimately, the Board determines whether and on what terms any long-term disposition of state lands or resources is granted in the context of the specific request presented.

In addition, the Commission on Water Resource Management (CWRM) retains primary regulatory authority over water resources under chapter 174C, HRS, including the establishment of instream flow standards and the allocation of water consistent with the public trust doctrine. Any proposed disposition or use of water will be subject to CWRM's oversight and must be consistent with CWRM's regulatory determinations and applicable law.

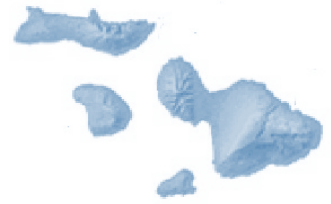
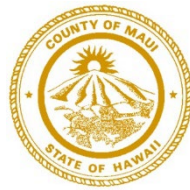
The Department acknowledges the concerns raised in these resolutions and notes that they may be addressed by the Board through the appropriate administrative process, with consideration of the respective roles of the Board and CWRM, and in compliance with all applicable legal requirements.

Mahalo for the opportunity to comment on this measure.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

GINA M. YOUNG
Director



EAST MAUI WATER AUTHORITY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

TO: Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice Chair
Committee on Water, Land, Culture, and the Arts

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair
Committee on Ways and Means

FROM: Gina Young, Director of East Maui Water Authority

DATE: April 17, 2026

SUBJECT: **SUPPORT OF HCR 178, URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRIORITIZE ISSUING A WATER SET-ASIDE TO THE COUNTY OF MAUI THROUGH AN EXECUTIVE ORDER BY THE GOVERNOR TO SUPPORT THE MANAGEMENT OF PUBLIC TRUST WATER RESOURCES IN EAST MAUI.**

Thank you for the opportunity to testify in **SUPPORT** of this important measure.

This Resolution urges the Department of Land and Natural Resources to prioritize issuing a water set-aside to the County of Maui through an Executive Order by the Governor to support the management of public water resources in East Maui.

We **SUPPORT** this measure for the following reasons:

1. A water set-aside to the County of Maui for water resources in East Maui advances the Department of the East Maui Water Authority's directive in managing Maui's public water resources through a public institution, in the interest of the public, and guided by the purposes of the Public Trust Doctrine.

Mahalo for your consideration.

Eia no o kūlanihāko'i, no kakou e mālama ai!

~Here indeed is Heaven reflected on Earth, it is for all of us to Protect, Preserve and Sustain~

HCR-178-HD-1

Submitted on: 4/15/2026 8:53:30 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
William Greenleaf	Individual	Support	Written Testimony Only

Comments:

Please pass HCR 178

Maui County Voters passed a Charter Amendment to create an EMauiWaterAuthority a few years ago. Since then Gina Young has been selected as Director. Gina and the Board have met with local Stakeholders, generating awareness of local support to control/manage our Water Resource. The Watershed has been allowed to deteriorate and is in need of recovery. The East Maui has committed to doing the recovery work. Gina has applied and received grants to do the heavy lifting. Maui does not want a CANADIAN Pension fund to control local water decisions. Hawaiian's share, Pension funds take for profits. The water is a precious public trust. Mahalo

HCR-178-HD-1

Submitted on: 4/15/2026 10:25:47 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Support	Written Testimony Only

Comments:

Please support HCR 178 because it prioritizes Maui Countys efforts to manage East Maui water for the interests of the public.

HCR-178-HD-1

Submitted on: 4/15/2026 7:37:32 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonathan Likeke Scheuer	Individual	Support	Written Testimony Only

Comments:

My name is Jonathan Likeke Scheuer and since February 2024 I have had the distinct honor of serving as the Chair of the `Aha Wai o Maui Hikina (East Maui Regional Community Board) which is the governing body for the East Maui Water Authority.

I am offering this testimony in my individual capacity.

I strongly support HCR 178.

mahalo,

Jonathan Likeke Scheuer, Ph.D.
Kahālāwai Consulting LLC

Managing Environmental Conflict

Read: [Water and Power In West Maui](#) (2021)

Listen: [Hawai`i News Now Be Akamai: Why wai?](#) (2024)

Watch: [What Does Sustainable Yield Sustain? What \(and Who\) is Left Out?](#) (2021)

Connect: <http://www.linkedin.com/in/likeke>

HCR-178-HD-1

Submitted on: 4/16/2026 9:14:27 AM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Remotely Via Zoom

Comments:

Thank you for the opportunity to testify in **strong support** of this important resolution.

My name is Shay Chan Hodges, and I am the former Chair of the Maui County Board of Water Supply and co-author of the 2019 Temporary Investigative Group (TIG) Report, which studied the “Feasibility of Purchasing and Maintaining the EMI Water Delivery System” by the County of Maui. I am also currently a consultant to the East Maui Water Authority.

I am testifying on my own behalf.

I strongly support **HCR 178**, which urges the Department of Land and Natural Resources to prioritize issuing a set-aside to the County of Maui through an Executive Order by the Governor to support the management of public water resources in East Maui. A set-aside to the County will advance Maui’s ability to manage our public water resources through a public institution, in the interest of the public, and guided by the principles of the **Public Trust Doctrine**.

The Public Trust Doctrine is best served by County and State entities and **cannot be implemented by a profit-seeking foreign investment fund**. Mahi Pono Holdings is owned entirely by the Canadian Public Sector Pension Investment Board (PSP), a \$214 billion Crown corporation that invests the retirement funds of Canadian government employees. Even the union representing PSP’s 240,000 beneficiaries has publicly urged Maui leaders to reject PSP’s involvement in a long-term water lease, citing harm caused by PSP’s extractive investment practices.

PSP’s global record underscores the risks of privatized water management. In Australia, amid devastating droughts and fire seasons, PSP purchased and privatized water infrastructure in the Murray–Darling Basin and became the country’s largest almond producer—a crop notorious for excessive water consumption. In Toronto, tenants in PSP-owned housing endured unsafe living conditions for years before securing health and safety remedies through a rent strike. In the United States, Minnesota’s Attorney General imposed a \$4 million penalty against PSP’s HavenBrook Homes for severe neglect that endangered hundreds of families.

Here on Maui—and across Hawai‘i—corporate control too often results in deferred maintenance, environmental degradation, and disregard for cultural values. We are currently witnessing across the islands how fragile our infrastructure is when profit motives outweigh stewardship. **Recent**

storms and the challenges of recovery have again highlighted the urgent need for local, public control of essential water systems.

I would also like to highlight the fact that extended power and communication outages from the storms have impacted community participation in the democratic process. In East Maui, residents of Wailuanui and Ke'anae have been without internet service for over a month following the first Kona Low. This lack of connectivity directly limits engagement in legislative discussions, from submission of written testimonies to online verbal testimony—including on this important resolution that impacts those communities directly.

Mahalo for your consideration and for your dedication to serving the people of Hawai'i.

MEMO TO: Senator Chris Lee, Chair
Senator Lorriane R. Inouye, Vice-Chair
Committee on Water, Land, Culture, and the Arts

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice-Chair
Committee on Ways and Means

FROM: Norman “Bush” Martin, Jr. *NM, JR.*

DATE: April 16, 2026

SUBJECT: **SUPPORT OF HCR 178, URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRIORITIZE ISSUING A SET-ASIDE TO THE COUNTY OF MAUI THROUGH AN EXECUTIVE ORDER BY THE GOVERNOR TO SUPPORT THE MANAGEMENT OF PUBLIC TRUST WATER RESOURCES IN EAST MAUI**

Mahalo for the opportunity to testify in **STRONG SUPPORT** of this important measure.

My name is Norman “Bush” Martin, Jr. and I have the distinct honor of serving as a Board member of the ‘Aha Wai o Maui Hikina (East Maui Regional Community Board) which is the governing body for the East Maui Water Authority. I am offering this testimony in my individual capacity.

I strongly support HCR 178 and encourage you to adopt it. This Resolution urges the Department of Land and Natural Resources to prioritize issuing a set-aside to the County of Maui through an Executive Order by the Governor to support the management of public water resources in East Maui.

A set-aside to the County of Maui for water resources in East Maui advances the County of Maui’s directive in managing our public water resources through a public institution, in the interest of public, and guided by the purposes of the Public Trust Doctrine.

Mahalo for your consideration and for all your hard work to serve the needs of our citizens.

Amanda M. Martin

512 Maoi Street, Wailuku, Hawai'i 96793

amandamkmartin@gmail.com

(808) 280-1990

April 16, 2026

Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice-Chair
Committee on Water, Land, Culture, and the Arts

Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice-Chair
Committee on Ways and Means

Aloha Chair, Vice-Chair and Members of the Committee on Water, Land, Culture, and the Arts and Committee on Ways and Means:

SUBJECT: SUPPORT OF HCR 178, URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRIORITIZE ISSUING A SET-ASIDE TO THE COUNTY OF MAUI THROUGH AN EXECUTIVE ORDER BY THE GOVERNOR TO SUPPORT THE MANAGEMENT OF PUBLIC TRUST WATER RESOURCES IN EAST MAUI

Mahalo for the opportunity to testify in **STRONG SUPPORT** of this important measure.

In the November 2022 election, sixty-four percent of Maui County voters approved a charter amendment establishing the County of Maui Department of the East Maui Water Authority, which I support wholeheartedly.

I strongly support HCR 178 and encourage you to adopt it. This Resolution urges the Department of Land and Natural Resources to prioritize issuing a set-aside to the County of Maui through an Executive Order by the Governor to support the management of public water resources in East Maui.

A set-aside to the County of Maui for water resources in East Maui advances the County of Maui's directive in managing our public water resources through a public institution, in the interest of the public, and guided by the purpose of the Public Trust Doctrine.

Mahalo for your time and for your dedicated service to our community.

Aloha,

Amanda M. Martin

LATE

HCR-178-HD-1

Submitted on: 4/16/2026 1:19:55 PM

Testimony for WLA on 4/17/2026 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Wailena Pu	Individual	Support	Written Testimony Only

Comments:

Aloha kākou,

I support HCR 178 because this resolution prioritizes Maui Countys efforts to manage Maui Hikina water in the interests of the communities. This bill is an important step toward protecting the natural and cultural resources that sustain our communities. For those of us who live in here, these lands are not just places—they are our food sources, our classrooms, and the foundation of our cultural practices. At the center of all of this is wai. Water is life, and it must remain in the communities where it originates. Keeping water resources local ensures that our streams continue to flow, our kalo can be cultivated, and our ecosystems remain balanced. It also preserves our ability to practice our culture and care for our ‘āina in the ways our kūpuna intended.

Supporting this measure helps ensure that future generations will continue to have access to these vital resources and maintain a meaningful relationship with them.

I urge you to pass HCR 178 and stand in support of the people, the ‘āina, and the legacy of Maui Hikina. Mahalo.