STATE WATER LEASE: EAST MAUI

DHHL Beneficiary Consultation Meeting
January 14, 2019
EMI DITCH SYSTEM SERVICE AREA

- Fields in Central Maui
- Upcountry Maui DWS & Ag Parks
- Nahiku
EAST MAUI STREAM PROCEEDINGS TIMELINE

A&B and EMI apply for 30-year water lease

2001

BLNR puts lease application on hold; puts A&B revocable permits on holdover states

BLNR issues order in lease CCR; BLNR determines: 1) Water lease is exempt from EA and 2) If lease is subject to IIFS set by CWRM, BLNR doesn’t have to do independent investigation of impact on traditional and customary practices

Nā Moku and CWRM agree on 8 prioritized IIFS petitions

BLNR Hearing Officer issues order for Summary Relief

2002

Nā Moku files motion to BLNR for relief

Circuit Court rules 4 A&B permits are invalid because BLNR can only issue “temporary” revocable permits

2003

Circuit Court grants Nā Moku appeal; orders lease CCR on items that BLNR has sole responsibility for, not duplicative of CWRM IIFS issues

2004

BLNR issues Interim Relief Order for lease — EMI releases water

CA grants Nā Moku appeal; instructs CWRM to conduct IIFS CCR

2005

Nā Moku asks BLNR to reconvene lease CCR, and demands that all diversions stop until an EA is prepared

2006

Nā Moku files to reconvene water lease CCR

2007

Nā Moku appeals CWRM denial to ICA

ICA grants Nā Moku appeal; instructs CWRM to conduct IIFS CCR

2008

CWRM issues stream studies for 8 prioritized IIFS petitions

2009

Nā Moku files appeal in Circuit Court to reconvene lease CCR

2010

BLNR continues revocable permits statewide, including 4 A&B permits

2011

Nā Moku files appeal in Circuit Court to reconvene lease CCR

2012

ICA conducts; evidentiary hearings held

Hearings Officer in IIFS CCR issues his proposed Decision and Order

2013

Nā Moku appeals CWRM denial to ICA

2014

BLNR advises Nā Moku it will not reconvene lease CCR until CWRM completes IIFS CCR (which was requested by Nā Moku)

2015

Nā Moku files new action in circuit court, challenging 2014 BLNR approval of holdover for 4 A&B permits

2016

Circuit Court grants Nā Moku appeal; orders lease CCR on items that BLNR has sole responsibility for, not duplicative of CWRM IIFS issues

Legend:

BLNR: Board of Land & Natural Resources
CC: Contested Case Hearing
CWRM: Commission on Water Resource Management
EA: Environmental Assessment
ICA: Intermediate Court of Appeals
Nā Moku: Last Maui farmers represented by Native Hawaiian Legal Corporation

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Proposed Lease (Water Lease) for the Nāhiku, Ke'anae, Honomanū, and Huelo License Areas

Environmental Impact Statement Preparation Notice

February 2017

Prepared For
Alexander & Baldwin, Inc.
East Maui Irrigation Company, Ltd.

Prepared By
Wilson Okamoto Corporation
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Honolulu, Hawaii 96819
MAHI PONO
A Maui Farming Company
WHO WE ARE
It starts with our name, Mahi Pono. We will farm properly, carefully and correctly.

- Stewards of 41,000 acres of prime agricultural land
- Committed to food security and self-sufficiency
- Dedicated to sustainable agriculture
- Prioritizing conservation and natural resource management
OUR VISION
MAHI PONO FARMS IS FOCUSED ON AGRICULTURE AND RELATED USES.

We are farmers, not developers.

- Solicit input from the community and interested stakeholders

- Grow organic and non-GMO crops

- Focus on producing high-quality foodstuffs for local consumption and with export potential

- Promote sustainability through the use of conservation practices such as silvopastoral systems, agroforestry and soil remediation

- Make initial investments and commitments to Maui farmers
BUILDING RELATIONSHIPS WITH THE COMMUNITY

OUR SUCCESS WILL BE DEPENDENT ON YOUR SUPPORT.

- Engage the Native Hawaiian community to learn about traditional Hawaiian farming practices
- Create meaningful partnerships with Maui farmers and lend our expertise, resources, equipment, development and farming capital to improve the viability of sustainable agriculture on Maui
- Invest in Maui farmers and their future by providing education and business courses
- Support community initiatives that promote sustainability like the ‘Aina Pono Hawai‘i State Farm to School program that was initiated by Former Lt. Governor Shan Tsutsui
MANAGING WATER THE PONO WAY
COMMITTED TO PRESERVING AND PROTECTING HAWAI‘I’S PUBLIC TRUST RESOURCES

1. Use only what we need
2. Share with others
3. Preserve for future generations
ASSEMBLING THE MAHI PONO TEAM

Hiring a local team that is passionate about agriculture – and Maui.

- Led by former Lt. Governor and Maui native, Shan Tsutsui
- Offering positions to all active agriculture personnel from A&B
- Generating hundreds of direct and indirect jobs for Maui residents over time
- Providing job training and educational programs to employees