

John Blumer-Buell, Applicant for the East Maui Regional Community Board.  
**Submitted in case the internet connection to the WASSP Committee meeting is interrupted or lost on May 8.**

Subject: Record of Opening Statement to the Maui County Council WASSP Committee Regarding the Application, May 8, 2023.

Submitted May 7, 2023, to [WASSP.Committee@mauicounty.us](mailto:WASSP.Committee@mauicounty.us)

*Aloha and Good Morning* Chair Sinenci and Water Authority, Social Services, and Parks Committee Committee Members (WASSP Committee).

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I am John Blumer-Buell, a long time resident of Mu'olea in the Hana Community Plan Area. I have applied for one of the two seats in the Nahiku License Area as described in Council RESOLUTION NO. 22-119, GDI, FD2 which was adopted by the Council of the County of Maui, State of Hawaii, on the 18th day of July, 2022.

Section 8-19.2, on page 5, number one, of the complete twelve page Resolution states in part: "The East Maui regional community board is concerned with the Nahiku, Ke'anae, Honomanu, and Huelo license areas, and consists of eleven members with a minimum of two members from each license area".

James Krueger, your Senior Committee Analyst at the Office of Council Services asked the applicants to answer three questions during their opening statements. He wrote, "please briefly respond to the following":

**First request from Mr. Kruger:**

**"Please explain your knowledge of and experience with the East Maui water system, relevant watershed areas, and the Upcountry water service area".**

I have been knowledgeable with "hands on" experience in relevant watershed areas for nearly half a century.

In 1989-1990, I was directly involved with the State Commission on Water Resource Management (CWRM) regarding the culturally, historically and geologically significant “Kuhiwa Well Contested Case Hearing”. Kuhiwa Well is located in Upper Nahiku and the related Nahiku License Area Seat I have applied for on the new board.

This legally conducted contested case hearing examined and cross examined extensive evidence of every theory and aspect of the East-Maui water system. The evidence included all relevant watershed areas including the Upcountry water service area.

As an appointed member of the Maui General Plan Advisory Committee (GPAC), I studied related water issues islandwide.

As an appointed member of the Hana Advisory Committee to the Maui Planning Commission I studied water related water issues particularly in the Nahiku License Area and related license areas. The resulting language is included in the 1994 Hana Community Plan Ordinance.

One important excerpt from C. **Interregional Issues**, Page 11:

“Exportation of resources found within the Hana Community Plan Region. The impacts and implications of exporting resources, particularly the diversion of surface water from the region, are of key concern to Hana residents. The exportation of these resources will not only affect resource availability and environmental integrity within the region, but also affect the balance of resource supply in other community plan regions”.

The important Kuhiwa Well Contested Case Hearing considered the many possible impacts of removing water from Upper Nahiku sources to Maui Land and Pineapple fields in another geological area. The requested water diversion by Maui Land and Pineapple was either in or near the “Upcountry Water System Service Area”. Regardless, the issues of water diversions are relevant to all current and future water issues in East-Maui and islandwide.

Kuhiwa Stream, Kuhiwa Well, Makapipi Stream, the unnamed stream between Makapipi Stream and Hanawi Stream, “Big Springs” and Hanawi Stream are all located in the relevant Nahiku License Area. **This is the license area I have applied for and qualified to represent.**

Esteemed cultural practitioner Parley Kanaka'ole and I represented the Hana Community Association and the Nahiku Community in the contested case hearing. Former head of the United States Geological Survey in Hawai'i William Meyer, was our expert witness. The Sierra Club Legal Defense Fund Attorney Arnold Lum was our legal representative.

Most importantly to this appointment process, I learned valuable information and knowledge from everyone involved in the hearing process, regardless of "Plaintiff" or "Defendant" or "Neutral" labels.

As a result, the opposing parties finally cooperatively agreed to a "Findings of Fact and Conclusions of Law" which remains informative.

Today, Makapipi Stream, the unnamed stream between Makapipi Stream and Hanawi Stream, "Big Springs" (adjoining Hanawi Stream) and Hanawi Stream need and require ongoing monitoring and oversight in order to **protect one of the most unique and important watershed areas in the State of Hawai'i.**

These important issues were discussed, but only **partially** resolved, in the recent "27 Streams" contested case hearings. I was an "on call" witness for Hearing Officer Dr. Miike in the "27 Streams" case.

**The East Maui Regional Board will need to revisit and consider important related issues in the future.**

### **2nd request and question from Mr. Kruger:**

**"What is the mission of the East Maui Regional Community Board?"**

First, to transform the challenging Council Council and voter passed Resolution No. 22-119, GDI,FD2 into a timely and fully functional Board and "organization". The twelve page Resolution is very detailed. I have read it numerous times and am willing to go over it line by line.

**In my opinion, another essential part of the mission is to endorse the community created 1994 Hana Community Plan Ordinance language simply stating, "Encourage community- based dialogue regarding proposed land use changes in order to avoid *unwarranted conflict*".**

This important statement of *ALOHA was and is* endorsed by the Maui Community, the Maui County Council and the Mayor of Maui.

The statement is especially relevant in addressing both past and current water conflicts and the resulting social conflicts. These conflicts urgently need to be fully understood and transformed into cooperative and workable future solutions for the public good.

Page 4 of the Resolution states under # 2., “that Article 8 of the Charter, pertaining to County Departments, be that in accordance with Charter Section 14-1(1), it proposes amended by adding a new chapter to be appropriately designated and to read as follows:”

Following on page 5 is “**CHAPTER 19 MAUI COUNTY COMMUNITY WATER AUTHORITIES**”.

Section 8-19.1 (page 5) **Organization** through Section 8-19.6 **Maui County Community Water Authorities Funds** (page 9) answer the question in detail.

### **3rd request and question from Mr. Kruger:**

“Looking forward, how would you like to see the East Maui water system managed?”

1. Managed through *Aloha, peaceful cooperation and an informed “Unified Community Spirit”*.
2. Managed through “hands on inclusive participation” by every generation of the community as a “Public Trust”.
3. Managed through the best wai, waiwai, cultural, legendary, historical, scientific, organizational, financial, botanical, “agricultural”, practical and verbal mana’o available in the best interests of our island community and the Planet Earth.

‘A ‘ohe hana nui ke alu ‘ia.

No task is too big when done together by all.

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Before closing, I want to add I endorse Moke Bergau for the other Nahiku License Area Seat. Moke and I would offer a “diverse” expertise from different perspectives and life experiences. Moke is a native of Nahiku and has important local knowledge.

Moke and I have worked well together in the past as Hana Community Association Board members and as concerned citizens addressing several important issues to protect Nahiku and the Nahiku Community for the future well being of the place and the community. Malama Nahiku!

In closing, I welcome any questions your committee may have. Mahalo Nui for your careful consideration.

Malama Pono!

Sincerely yours,

John (Blumer-Buell), Mu’olea, Hana