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Subject: Testimony for February 4 and 6 meetings

- 1) The 1996 West Maui Community Plan is an ordinance.
- 2) The General Plan and Maui Island Plan do not have the “force of law” that the existing community plans have.
- 3) The Maui Island Plan does not supersede the community plan.
- 4) The CPAC can make changes to the existing community plan. Parks and open space designated in the 1996 community plan have been disregarded. Instead, resorts and residential projects have been developed. The revised community plan should reflect those changes and include more public places for recreation and scenic vistas.
- 5) The West Maui Community Plan determines boundaries to reflect the desires of the community.
- 6) The community plan does not have to concede to developer’s plans. Entitled projects still have to go through the proper channels for re-zoning.
- 7) Boundary amendments are determined by the State Land Use Commission. Any project greater than 15 acres requires the State LUC to rezone the urban, agriculture, rural, and conservation land designations.
- 8) The Maui Island Plan does not determine boundaries.
- 9) The Maui Island Plan is not in compliance with the environmental laws required by the state. It does not have the Environmental Assessment that is required by the state under HRS-226.
- 10) An amendment of the Maui Island Plan states that the ordinance of the West Maui Community Plan is in full force.
- 11) The Maui Island Plan is advisory. It provides a vision for the island but lacks the environmental requirements as provided under State law. The Maui Island Plan can do nothing but only serve as a guideline.

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